

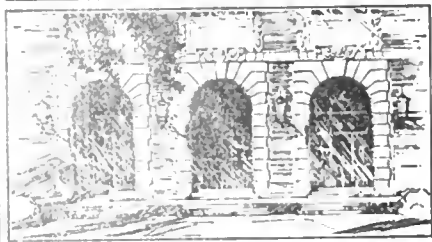
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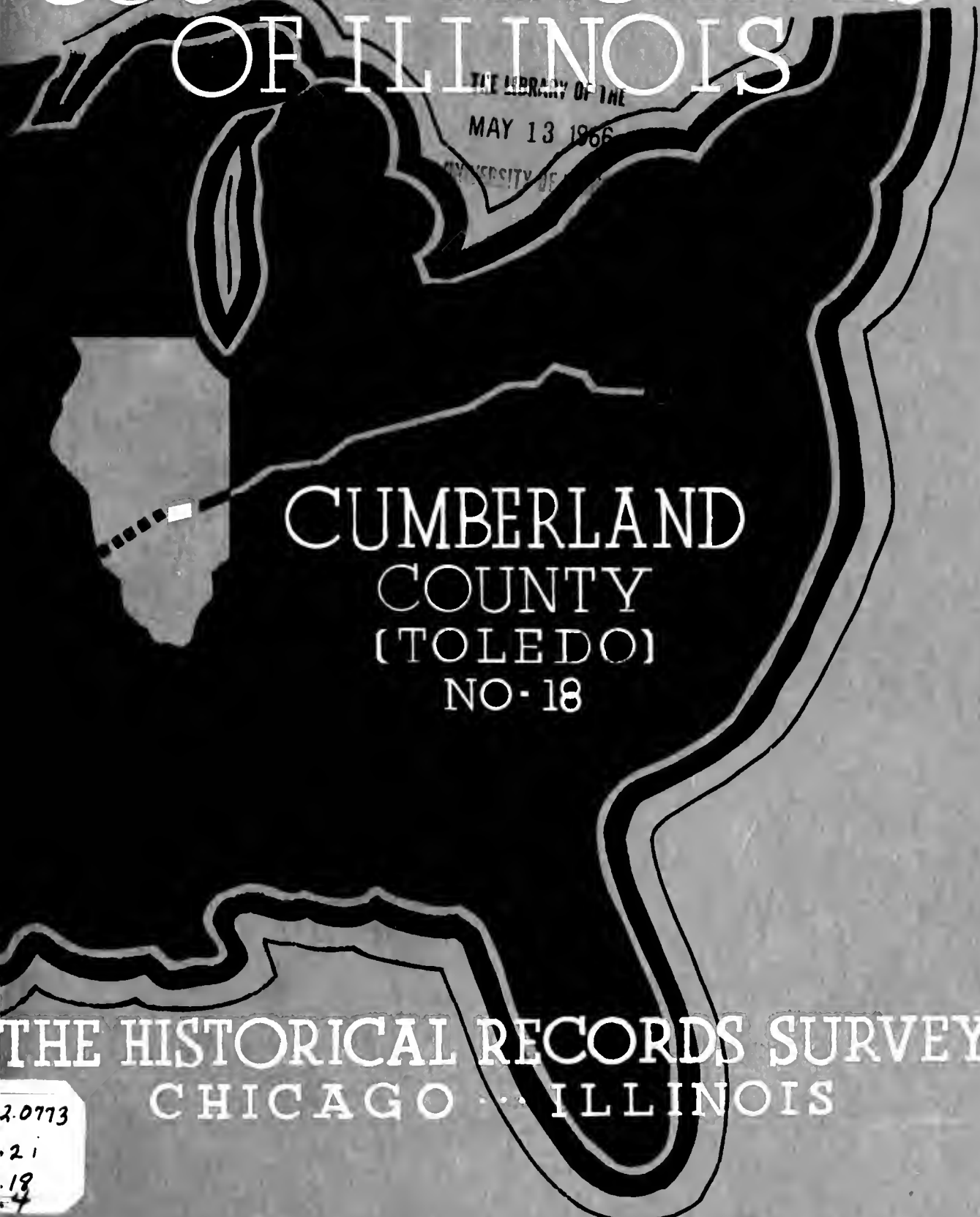
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THE HISTORICAL RECORDS SURVEY
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INVENTORY OF THE COUNTY ARCHIVES
OF ILLINOIS

Prepared by
The Historical Records Survey
Division of Women's and Professional Projects
Works Progress Administration

No. 18. CUMBERLAND COUNTY (TOLEDO)

* * * * *

Chicago, Illinois
The Historical Records Survey
April 1938

The Historical Records Survey

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ILLINOIS HISTORICAL SURVEY

FOREWORD

The Inventory of County Archives of Illinois is one of a number of bibliographies of historical materials prepared throughout the United States by workers on The Historical Records Survey of the Works Progress Administration. The publication herewith presented, an inventory of the archives of Cumberland County, is number 18 of the Illinois series.

The Historical Records Survey was undertaken in the winter of 1935-36 for the purpose of providing useful employment to needy unemployed historians, lawyers, teachers, and research and clerical workers. In carrying out this objective, the project was organized to compile inventories of historical materials, particularly the unpublished government documents and records which are basic in the administration of local government, and which provide invaluable data for students of political, economic, and social history. The archival guide herewith presented is intended to meet the requirements of day-to-day administration by the officials of the county, and also the needs of lawyers, business men and other citizens who require facts from the public records for the proper conduct of their affairs. The volume is so designed that it can be used by the historian in his research in unprinted sources in the same way he uses the library card catalog for printed sources.

The inventories produced by The Historical Records Survey attempt to do more than give merely a list of records - they attempt further to sketch in the historical background of the county or other unit of government, and to describe precisely and in detail the organization and functions of the government agencies whose records they list. The county, town, and other local inventories for the entire country will, when completed, constitute an encyclopedia of local government as well as a bibliography of local archives.

The successful conclusion of the work of The Historical Records Survey, even in a single county, would not be possible without the support of public officials, historical and legal specialists, and many other groups in the community. Their cooperation is gratefully acknowledged.

The Survey was organized and has been directed by Luther H. Evans, and operated as a nation-wide project in the Division of Women's and Professional Projects, of which Mrs. Ellen S. Woodward, Assistant Administrator is in charge.

HARRY L. HOPKINS
Administrator

PREFACE

The Historical Records Survey was initiated as a nation-wide undertaking in January 1936, as part of the Federal Writers' Project of the Works Progress Administration. In Illinois the Survey became an independent unit in August 1936, but continued to operate as a part of the nation-wide project under the technical supervision of Dr. Luther H. Evans, National Director, and under the administrative supervision of the Division of Women's and Professional Projects.

In compiling this Inventory of the Archives of Cumberland County, the Survey has sought to locate, describe, and classify all extant county records and to make them more easily accessible to county officials, the general public, and research workers. It is believed that this inventory will be useful in the preservation of this valuable material, and as a guide to the archives wherein may be found so much important information in the fields of history, sociology, political science, and economics. While some historians have realized this for many years, the general public has never been made aware of the intrinsic worth of this material. In the official documents of Cumberland County is recorded the story of the coming into the wilderness of settlers who created a territory and later founded a state, bought and sold land, built roads, established schools, and created the rudiments of a simple frontier government.

The Historical Records Survey has proved itself of valuable assistance to local and county governments in Illinois. Records have been re-arranged and made more accessible, material believed to be lost has been located, indexing projects have been fostered, and county officials have been encouraged and induced to provide new equipment for their offices and better storage space for the records.

In addition, the program of the Survey has been planned to dovetail with the long range plans of the State of Illinois for the care of its State and local archives. For example, the first step in the Illinois program, the moving of all state records into a new Archives Building, has been materially aided by the preparation of preliminary inventories by Survey workers for the various state departments. Again, the program of the State for the preservation of county records, including the making of microphotographic copies of all important historical documents, obviously presupposes inventories such as the Historical Records Survey is now making.

0344 Since under Illinois law no records may be destroyed without specific enabling legislation, the tremendous increase in the bulk of records being produced today makes it impossible for either the State or the counties to preserve all records. Hence, there has been considerable destruction of records. The inventories being compiled by the Historical Records Survey now make possible for the first time a scientific study of the whole question of record destruction. If, as seems likely, this results in adequate

Preface

and sensible legislation permitting necessary reduction in the bulk of records, this single use of the inventories may prove the most important contribution of the Survey.

Work on the survey of records of Cumberland County, the eighteenth county on the alphabetically arranged list of the one hundred and two counties in Illinois, was begun September 1, 1936, and finished May 14, 1937. The inventory was taken by Oliver K. Doney under the supervision of Kenneth C. Blood. Rechecking, including a thorough search for missing and incomplete records, was started October 21, 1937, and completed November 18, 1937.

The inventory was prepared for publication by the state editorial staff of The Historical Records Survey at Chicago, under the supervision of Herbert R. Rifkind. Ably assisting were: Martine O'Connor in charge of editing and re-editing; Kathleen Summitt in charge of arranging and indexing; Theodore Nicholson in charge of rechecking; Edward J. McDonough in charge of format and collation; Alonzo D. Brewer in charge of legal research; and Irving E. Barnett in charge of cartography. In addition, too much credit cannot be given to the other members of the editorial and typing staffs for their intelligent and diligent cooperation in the compilation of this inventory.

The various units of the Inventory of County Archives will be available for distribution to government offices, libraries, schools, and historical societies in Illinois, and libraries and governmental agencies in other states. Requests for information concerning particular units of the Inventory should be addressed to the state director.

All of the officers of Cumberland County cooperated in every possible way with the workers, and grateful acknowledgment of their aid is hereby made. County officials at the time of the Survey were: W. H. Rodebaugh, County Clerk; M. S. Underwood, Circuit Clerk; Bessie Thompson, County Treasurer; Thos. J. Tanner, Sheriff; Theodore O. Cutright, State's Attorney; Chas. M. Connor, County Judge; William I. Birdzell, Superintendent of Schools; James A. Starewalt, Surveyor; J. A. Decker, Superintendent of Highways; J. F. Yanaway, Coroner. I wish also to express appreciation for the cooperation rendered by the officers of the Illinois State Library, and by the officials of the Illinois Works Progress Administration and the Federal Writers' Project. For the cover design and the binding we are indebted respectively to the Federal Art Project and the Bookbinding Project, of District 3, Chicago, Illinois.

Howard E. Colgan
Howard E. Colgan
State Director
The Historical Records Survey

April 12, 1938



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1. HISTORICAL SKETCH

Cumberland County is named after the famed Cumberland Road, construction of which by the United States Government proved to be one of the chief factors in the development and growth of the west. This great national highway, extending from the Potomac almost to the Mississippi, was first authorized by Congress, after being favorably reported by the Senate Committee,¹ in an act "to regulate the laying out and making a road from Cumberland, in the State of Maryland, to the State of Ohio," the act being approved by President Thomas Jefferson, March 29, 1806.

The first contracts were let on April 11 and 16, 1811, and by 1818 United States mail coaches were running between Washington, D. C. and Wheeling, Virginia. By the time building operations began in Illinois, around 1830, emigration, given tremendous impetus by the extension of the road to what was then the far west, was in full swing. The Cumberland Road reached what is now Cumberland County about 1835, and ended at Vandalia, fifty-five miles away, about three years later.

The formation of Cumberland County arose from the dissatisfaction of early settlers over the long distance to be traveled to Darwin, the county seat and center of trade of Coles County. Business men of Greenup, hoping to promote their own village as the prospective county seat, were the chief agitators for the change.

When the feeling of dissatisfaction finally culminated in the demand for the creation of a new county, two factions opposed one another. Settlers of Charleston demanded that the county of Coles be divided into three equal parts, which would result in the creation of two new counties; the Greenup contingent, as well as others, insisted upon a division in two equal parts, or the creation of only one new county. The two propositions were known respectively as the "crop" and the "split." Candidates were put up by both sides, and in 1842, after much spirited campaigning, the declaration of E. H. Starkweather, one of the leaders in the fight, for the "split", resulted in the creation of the new county of Cumberland, by act of legislature, March 2, 1843.²

1. SENATE REPORTS, NINTH CONGRESS, FIRST SESSION, REPORT NO. 195.

2. L. 1843, P. 94. THE ACT PROVIDED THAT:

"ON AND AFTER THE FIRST DAY OF MAY NEXT, ALL THAT PART OF COLES COUNTY LYING SOUTH OF A LINE BEGINNING AT THE NORTHWEST CORNER OF SECTION 30, IN TOWNSHIP 11 NORTH OF RANGE 7, EAST OF THE THIRD PRINCIPAL MERIDIAN, RUNNING THENCE EAST ALONG THE SOUTH SECTION LINE TO THE WESTERN BOUNDARY LINE OF CLARK COUNTY, SHALL BECOME A NEW COUNTY, TO BE CALLED CUMBERLAND COUNTY."

The Act designated the boundary lines, set the date and place for the first election,¹ and named the village of Greenup as the seat of justice until a permanent county seat should be selected according to the terms set forth in the Act.² The first election was held on the first Monday of the following April, and resulted in the choice of the following officers: sheriff, Thomas Seonce; coroner, Hiram Buell; county surveyor, Judson E. Holly; probate judge, E. E. Starkweather; county recorder, Otis Perry; treasurer, Abram Trease; school commissioner, Daniel C. Decius; county commissioners, James Gill, Charles P. Chowming, and David P. Wisner; J. Ewart was appointed clerk of the county commissioners' court.

The first session of the county commissioners' court, a special term, was held on May 1, 1843, and one of the first acts was an order on the treasurer to pay the sum of forty dollars to William Price, who had loaned the county two hundred dollars with which to defray current expenses and purchase books and stationery. This sum was to be paid out of the first money received by the treasurer.

In accordance with the requirements of the act of creation, an election was held on the first Monday in August to determine the location of the county seat. At this election De Kalb received a majority of the votes. James Gill and Thomas Seonce gave bond for the donation of De Kalb, but it was subsequently discovered that the title was not clear. Despite considerable controversy, De Kalb went ahead with its plans, even to the extent of hauling logs to begin building operations. The rival village of Greenup, however, making capital of the encumbered title, finally secured the county seat. They managed to hold on to it until 1855, when it was removed to Prairie City, which had been laid off in April, 1843, by N. Berry, John Berry, L. Harvey, and W. P. Rush. Fighting a losing battle, Greenup stubbornly sought to retain the seat of justice by refusing to give up the official records, and it was not until 1857 that all county records were finally removed.

During the time Greenup was county seat there were no public buildings, the county court and clerk of the circuit court being furnished temporary quarters by James Ewart. A house later secured from Daniel Porter, served as the courthouse for the next ten years. The circuit

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1. L. 1843, SEC. 2. "AN ELECTION SHALL BE HELD ON THE FIRST MONDAY OF APRIL NEXT, AT THE TOWN OF GREENUP, AND AT THE TOWN OF WOODBURY, AT THE HOUSE OF JAMES GILL, AT BEN WHITE'S, BERRY'S MILL, AT RUFFNER'S, AT LONG POINT, FOR THE ELECTION OF A SHERIFF, CORONER, COUNTY RECORDER, COUNTY SURVEYOR, PROBATE JUSTICE OF THE PEACE, CLERK OF THE COUNTY COMMISSIONERS' COURT, COUNTY TREASURER, AND SCHOOL COMMISSIONER, AND THREE COUNTY COMMISSIONERS, FOR THE SAID COUNTY OF CUMBERLAND, AT WHICH SAID ELECTION ANY BOARD OF LOCAL VOTERS, NOT LESS THAN FIFTEEN, WHO SHALL BE PRESENT, MAY CHOOSE FROM AMONG THEMSELVES A SUFFICIENT NUMBER OF PERSONS TO ACT AS JUDGES OF SAID ELECTION."
 2. L. 1843, SEC. 4.



court was domiciled in an old log schoolhouse, and here court was held and cases tried by men who later became famous as statesmen not only in Illinois, but throughout the nation. Among them was Abraham Lincoln, who tried many of his cases here, including the famous "Lustre Case."

When in 1855, Prairie City succeeded in wresting the seat of justice from Greenup, one of the stipulations provided for the erection of public buildings. Accordingly, a contract was let to Filey Ross and Bennet Beale to build a courthouse, the contract providing that the building be forty feet square and the walls twenty-seven feet high. The specifications called for three doors, nineteen windows, and a cupola with a bell that could be heard for five miles. There was so much opposition to all this by the county clerk, that he did not record the contract, and it did not appear on the commissioners' journal until a new clerk was elected and recorded it in 1857. The first courthouse was destroyed by fire in the early part of 1885; the second erected the same year, is still being used. It is a two and one half story brick building with stone trimmings, seventy-two feet long, seventy-two feet wide, and forty-two feet in height.

The first jail, a single, two-story building of brick, twenty by thirty-two feet and including the jailer's quarters, was constructed in 1859 as a result of a prisoner's escape. Prior to this time a jail had been thought to be unnecessary, as the sheriff used an old "gum" which stood in his yard. This had wire netting over the top, and in the opinion of the sheriff, a prisoner was as safe there as in a jail. Finally one prisoner, in an attempt to escape, climbed to the top, but as he was getting the wire netting off, the "gum" toppled over into the river. This was considered as easy a way as any of releasing him, and no effort was made to recapture him.

In 1859 Cumberland elected to adopt the township form of county government, the administrative county court being succeeded by the first county board of supervisors, elected in April 1861 representing eight townships.¹ In the early part of 1874, the name of the county seat was changed from Prairie City to Toledo.²

Cumberland is strictly an agricultural county, but in the vicinity of Greenup is found potter's clay which makes a fair quality of stoneware; there is also some copper, but not in sufficient quantity to warrant mining.

Cumberland County lies in the south tier of the area improperly called Central Illinois, on the border of the section known as Egypt. It is bounded on the north by Coles County, on the east by Clark, on the south by Jasper and Effingham, and on the west by Shelby and Moultrie. It has an area of 350 square miles, and according to the 1930 census, the population is 10,419.

1. COTTONWOOD, CROOKED CREEK, GREENUP, NEOGA, SPRING POINT, SUMPTER, UNION, AND WOODBURY.

2. COUNTIES OF CUMBERLAND, JASPER, AND RICHLAND, ILLINOIS, P. 217. F. A. BATTEY AND CO., CHICAGO, ILLINOIS, 1904.



2. GOVERNMENTAL ORGANIZATION AND RECORDS SYSTEM

The county in Illinois is a corporate body and an administrative unit of the state. In Cumberland and other counties organized under the township plan, the towns comprise a unit of county government.

The county board has general administrative jurisdiction of county and town affairs, including authority to raise revenue within statutory limits, control of public and semipublic funds, and management of corporate property. In Cumberland County, where it is composed of all the town supervisors, it is known as the board of supervisors. This governing body has also power to appropriate money for roads and bridges. The county clerk is its ministerial and secretarial officer.¹ An early significant function of the board was the role it performed as board of review for the equalization of assessments. Since 1898, however, the chairman of the county board is the ex-officio chairman of this body. Two additional members are appointed by the county judge.

The fiduciary aspect of finances is represented by the county treasurer, who receives, has custody of, and disburses by order of the county board or with statutory authorization, all funds. In Cumberland County, he also is ex-officio supervisor of assessments and county collector, bringing about a centralization of the revenue procedure. The county clerk, as one phase of his duties, binds together the entire revenue procedure, originating certain records, collecting relevant information, and reporting from each officer or body concerned to the others.²

Justice is administered by the following officers: two justices of the peace in each district, in Cumberland County coextensive with

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1. CONSTITUTION OF 1818, ART. III, SEC. 3; R.S.1845, P. 129-36; CONSTITUTION OF 1848, ART. V, SEC. 17,19, ART. VII, SEC. 6; L.1849, P. 63-65; L.1851, P. 35-39,46,47,50-63; L.1852, P. 129; L.1861, P. 236-38; L.1869, P. 104; CONSTITUTION OF 1870, ART. VI, SEC. 18; R.S.1874, P. 260,273,321-25; L.1909, P. 160; L.1911, P. 242,243; L.1925, P. 323.
 2. R.S.1845, P. 136,138,139; L.1851, P. 37-45; L.1853, P. 14,66,77, 111; L.1861, P. 239,240; CONSTITUTION OF 1870, ART. X, SEC. 8; L.1871-72, P. 664; L.1872, P. 11,14,15,19,23,41,47,55-58; L.1873, P. 51; R.S.1874, P. 323,324; L.1879, P. 241,242; L.1881, P. 133; L.1885, P. 142-47,234; L.1895, P. 304; L.1898, P. 36-45,50; L.1905, P. 360; L.1911, P. 485; L.1913, P. 516; L.1915, P. 568; L.1917, P. 654; L.1919, P. 765; L.1923, P. 495; L.1927, P. 744; L.1931, P. 747; L.1932, P. 84; L.1933, P. 898.



townships; the county judge who also functions as the ex-officio judge of the probate court; three circuit judges elected in the fifth judicial district composed of five counties of which Cumberland is one. Appeals may be taken from the county or probate court to the circuit court. The records of the county and probate courts are kept by the county clerk as ex-officio clerk in both instances. The clerk of the circuit court serving Cumberland County is elected by the county electorate. The probation officer assists the county and circuit courts in the administration of justice. The sheriff is the ministerial officer of all courts of record, and is the principal agent for the enforcement of law. The coroner shares many powers, as conservator of the peace, with the sheriff; however, his major duty of holding inquests pertains to the administration of justice. Also importantly engaged in the enforcement of law and the administration of justice is the office of state's attorney. This office commences and prosecutes in all courts of record in the county all suits and actions in which the people of the state or county are concerned.¹

In the administration of education, the county superintendent of schools occupies an important central position. In the townships are boards of trustees of school districts, aided by the town treasurer and town clerk; they have financial and executive powers, and responsibility to the superintendent in each. The superintendent also exercises wide supervisory powers in all matters relating to schools and educational affairs. Above him are the following authorities: the county board, exercising general financial control; the superintendent of public instruction, representing state academic supervision; the state department of public health, the state fire marshal, and the state architect, advising in such matters related to schools as fall within their province. The superintendent reports on his supervision in the county to all these officers and bodies, thereby unifying the administration of education.²

Public health services are similarly administered on all levels of government, with the county clerk figuring importantly. The state department of public health has authority over sanitation, exercised

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1. CONSTITUTION OF 1818, ART. IV, SEC. 4; R.S. 1845, P. 75, 76, 143-58, 323-26, 414-27, 515-18; CONSTITUTION OF 1848, ART. V, SEC. 7, 16, 17, 29; L. 1849, P. 51, 62-67; L. 1854, P. 16, 17; L. 1859, P. 95-97; L. 1861, P. 119; L. 1865, P. 79, 80; CONSTITUTION OF 1870, ART. V, SEC. 25, ART. VI, SEC. 12, 13, 18, 20; ART. X, SEC. 8; L. 1871-72, P. 189, 190, 325; L. 1872, P. 19, 32-34, 46, 55-58; R.S. 1874, P. 172-75, 260-64, 273, 281-87, 321, 329, 339-41, 909-92; L. 1877, P. 77-84; L. 1895, P. 206, 210, 211, 217; L. 1907, P. 213; L. 1909, P. 311, 335; L. 1919, P. 403; L. 1931, P. 308; L. 1933, P. 435-48, 451, 459.
 2. R.S. 1845, P. 497-99; L. 1872, P. 702-5; L. 1889, P. 262-66; L. 1909, P. 342-50; L. 1915, P. 628-35; L. 1919, P. 387.

through district boards consisting of the town supervisor, assessor, and clerk. Each county clerk is the liaison officer in his county between the local and state agencies. The same department supervises lodging houses; the supervision is effected in each county through reports collected by the county clerk. It also has supervision of the registration of vital statistics, in Cumberland County exercised through the town clerks, who act as local registrars. But the county clerk is charged with keeping duplicate records and also with reporting thereupon to the department, thereby again acting as the agent of state control in his county. Other public health services are administered by the county nurse who is certified by the state department of education and registration, and appointed by the county board of supervisors. Also a county veterinarian, appointed by the said county board, worked in conjunction with the state department of agriculture for the control and eradication of bovine tuberculosis.¹ This office was established in Cumberland County in 1930 and discontinued in the following year.

Public assistance in Cumberland County is provided through the county department of public welfare. This department is administered by the county superintendent of public welfare, an appointee of the county board of supervisors. The superintendent functions principally under the direction of the state department of public welfare.²

Public and semipublic works are administered by township, county, and state authorities. The (state) department of public works and buildings, through the county superintendent of highways, exercises technical supervision over the construction and maintenance of township, county and state roads, culverts and bridges. The county superintendent of highways is also subject to the direction of the (state) chief highway engineer. He is required to keep record of his duties prescribed by the department and the chief highway engineer. The said superintendent exercises powers over the township and county roads and bridges and is also granted supervision over state-aid roads in his county.

The county surveyor is necessarily often employed in these public and semipublic works.³ He also makes surveys for private persons, as a step in the creation of land records. His maps and plats, how-

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1. L.1877, P. 208-11; L.1899, P. 355,356; L.1901, P. 301-6; L.1903, P. 315-18; L.1915, P. 660-70; L.1917, P. 763-68; L.1923, P. 480; L.1925, P. 3; L.1929, P. 8; L.1931, P. 732.
 2. L.1937, P. 452.
 3. CONSTITUTION OF 1870, ART. IV, SEC. 31; R.S.1874, P. 1050; L.1879, P. 120-34; L.1885, P. 73-113; L.1913, P. 521-81.

ever, have no legal effect unless recorded by the recorder. The latter, whose duties are performed in Cumberland County by the clerk of the circuit court in an ex-officio capacity, also is charged with the recordation of instruments affecting title to land and the less important other classes of instruments conveying or establishing non-property rights.¹

The coordination of county government is effected through the county clerk. In addition to his many and dissimilar duties, already noted, he issues licenses, has custody of official bonds, keeps various registers, enters into the election procedure, and acts for the board of review. This entire concentration of duties, statutory jurisdiction over which is vested variously in the county board, the county court, and other bodies, results in a considerable centralization of county government.²

All the town offices and all the independent county offices, except surveyor, superintendent of highways, probation officer, county superintendent of public welfare, county nurse, county veterinarian, are now filled by election, and most have been since 1848. The surveyor also was elected at one time, but he and the superintendent of highways are now appointed by the county board. Only a few of the present county offices and bodies were recognized by the first state constitution; but, except for the county court, established in 1848, the probation officer created in 1911, the superintendent of highways, created in 1913, the county superintendent of public welfare in 1936, county nurse in 1931, all were established by law at a very early date and are recognized by the second and the present constitution.

The creation of such state agencies as touch upon county government is a later development, occurring between 1877 and 1917. The quantity and character of county records are affected thereby, but not the system of records. More significant in its effect on records is the concentration of multiple and dissimilar duties in the county clerk.

Making for uniformity in records are laws requiring county boards to supply books and forms in many cases. But the only uniformity between counties is accomplished by the use of standard forms in a few cases required by state agencies. Legislation to extend this development has the support of local officers. Adequate statutory provision is made for rebinding and transcription of old records. The use of loose-leaf books has further improved records; statutory compulsion could extend the improvement. The legal requirement to destroy election ballots after two years is not always regarded; new legislation, more extensive in scope as well as more stringent, would be valuable.

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1. R.S.1845, P. 305,432,606; R.S.1874, P. 833-35,1050; L.1885, P. 77; L.1901, P. 307; L.1915, P. 575; L.1921, P. 667.
 2. L.1819, P. 25,79,206; L.1845, P. 41,42; L.1861, P. 230; L.1872, P. 380; R.S.1874, P. 325; L.1877, P. 209; L.1885, P. 142.





3. HOUSING, CARE, AND ACCESSIBILITY OF THE RECORDS

The present courthouse of Cumberland County in Toledo was erected in 1885, replacing the one destroyed by fire earlier in the same year. It is a square, brick two-story structure with an attic, the latter sometimes being designated as the third floor. The exterior dimensions are seventy-two feet by seventy-two feet by forty-two feet. The courthouse contains no fireproof vaults and there is need for more space both for storage of records and actual office room.

The offices and all of the records of the following county officials are located in the courthouse: county clerk, circuit clerk, treasurer, sheriff, superintendent of schools, superintendent of highways, and county nurse. All of these offices with the exception of that of the superintendent of schools located on the second floor, and that of the county nurse located on the third floor or attic, are located on the first floor. The coroner has his office on the first floor of Markwell's Undertaking Building, a brick one-story structure built in 1915. Here the coroner keeps fifty percent of his records, the balance being kept in the county clerk's vault.

The county clerk's office is a part of his record storage vault. This vault measures nineteen by twenty-three feet and has two large windows. One hundred and twenty linear feet of steel shelving of the flat roller type, and several file boxes are arranged along the east and west walls. The present shelving capacity is fully utilized. Approximately seventy-five percent of the county clerk's records, and fifty percent of the county coroner's records are kept here. Also stored here are the records of the special drainage district and of the county veterinarian. The arrangement of this combined office and vault is such that it leaves little room for persons wishing to use the records.

The remaining twenty-five percent of the county clerk's records are stored in the attic storeroom on the third floor, which serves as a common depository. This room is fifteen feet by fifteen feet and has three windows. There are no shelves provided for the records, the bound volumes being piled on the floor and all unbound material packed in wooden and cardboard boxes.

The office-vault occupied by the circuit clerk corresponds exactly with that of the county clerk in respect to size, window space, and shelving. All of the clerk's records including those of the circuit clerk as ex-officio recorder, and those of the county surveyor are kept in this vault in file boxes and on steel shelving.

The office of the county treasurer is located in the southwest corner of the first floor. It measures twenty by twenty-four feet and is lighted by two large windows. Thirty-six percent of the records are kept in this room on ten linear feet of wooden shelving and in several file



boxes; forty-four percent of the records including those of the treasurer as ex-officio county collector, are stored in the common storage room in the attic; twenty percent of the files of this office are housed in the county clerk's vault. A desk and several chairs are provided for use of persons wishing to consult the records.

In the opposite, or southeast corner is the sheriff's office. It is smaller in size, well lighted, and comfortable. Since the sheriff of Cumberland County keeps very few records, the volumes kept on his desk represent approximately sixty percent of the total; twenty-two percent are housed in the attic storeroom, and eighteen percent are housed in the sheriff's living room on the first floor of the county jail.

The office of the superintendent of schools is located on the second floor. It measures fifteen feet square, with a twelve-foot ceiling. Three large windows admit an abundance of daylight and at the same time provide excellent ventilation. Wooden bookcases with glass doors serve to accommodate ninety-nine percent of the records. Two volumes, or less than one percent of the total, are divided between the attic storeroom and the county clerk's vault.

Also on the second floor is the office of the superintendent of highways, with an area of one hundred and ninety-eight square feet. All of the records of the superintendent are filed here on a small section of steel shelving, and in several steel file drawers. This office is well lighted both by natural and artificial light, but is crowded, with no room for expansion. Accommodations for users of records are satisfactory.

The county nurse's office is located on the third floor or attic. While this is a small, square room, it is well lighted by three windows. The floor is of wood and walls and ceiling are plastered. All of the records of the county nurse are kept here in a small file box. There is ample room for expansion. Accommodations for users of the records are limited.

The records of Cumberland County from 1843 to 1885 were destroyed in the fire mentioned at the beginning of this essay. All records subsequent to that date have been located and checked by the Survey's field workers, with the able and courteous assistance of the county officials. In view of the present lack of space and equipment, they are in fairly good condition.

The alphabetically arranged, separate index system is used for the majority of the records of Cumberland County. Bound volumes are gradually being supplanted by the loose-leaf type, particularly in the filing of typed reports.

4. LIST OF ABBREVIATIONS, SYMBOLS, AND EXPLANATORY NOTES

alph.	alphabetical (ly)
arr.	arranged
Art.	Article
assr.	assessor
atty.	attorney
aud.	auditor
bd.	board
bdl.	bundle (s)
bldg.	building
bsmt.	basement
ch.	chapter (s)
chron.	chronological (ly)
cir.	circuit
clk.	clerk
co.	county
coll.	collector
cont.	continued
cor.	coroner
ct.	court
dept.	department
f.b.	file box (es)
f.d.	file drawer (s)
fl.	floor
fm.	form
ft.	feet
hdgs.	headings
hdw.	handwritten
hwys.	highways
ibid	ibidem - the same (references)
i.e.	id est - that is
Ill.S.A.	Illinois Statutes Annotated
in.	inch (es)
L.	Laws
mi.	mile (s)
no. (s)	number (s)
off.	office
p.	page (s)
pr.	printed
pro.	probate
rec.	recorder
R.L.	Revised Laws
rm.	room
R.S.	Revised Statutes
sch.	school (s)
sec.	section (s)
sep.	separate

List of Abbreviations, Symbols,
and Explanatory Notes

(First entry, p. 17)

sess.	session
sh.	sheriff
sp.	special
strm.	storeroom
supt.	superintendent
surv.	surveyor
treas.	treasurer
twp. (s)	township (s)
U.S.R.S.	United States Revised Statutes
U.S.S.	United States Statutes
v.	volume (s)
vet.	veterinarian
vlt.	vault
--	current

1. Despite inaccuracies in spelling and punctuation, titles of records are shown in the inventory proper exactly as on volumes and file boxes. The current or most recent title is used as the title of the entry.

2. Explanatory additions to inadequate titles and corrections of erroneous titles are enclosed in parentheses and have initial capitals.

3. In the absence of titles, supplied titles are capitalized and enclosed in parentheses.

4. In the title set-up, letters or numbers in parentheses indicate the exact labeling on volumes or file boxes. If the volumes or file boxes are unlabeled, no labeling is indicated.

5. Title line cross references are used to complete series for records kept separately for a period of time, and in other records for different periods of time. They are also used in all artificial entries - records which must be shown separately under their own proper office or section heading even though they are kept in files or records appearing elsewhere in the inventory. In both instances, the description of the master entry shows the title and entry number of the record from which the cross reference is made. Dates shown in the description of the master entry are only for the part or parts of the record contained therein, and are shown only when they vary from those of the master entry.

6. Separate third paragraph cross references from entry to entry, and "see also" references under subject headings, are used to show prior, subsequent, or related records which are not part of the same series.

7. Unless the index is self-contained, an entry for the index immediately follows its record entry. Cross references are given for exceptions to this rule.

8. Records may be assumed to be in good condition unless otherwise indicated.

9. On maps and plat records, the names of author, engraver, and publisher, and information on scale have been omitted only when these data were not ascertainable.

10. Unless otherwise specified, all records are located in the county courthouse.

I. COUNTY BOARD OF SUPERVISORS

The most important functions of the county board, with little change from the earliest date, are:

1. The purchase, sale, and custody of the real and personal property of the county.
2. Examining and settling accounts against the county.
3. Settling accounts concerning the receipts and expenditures of county officers.
4. Supervision of elections, schools, and the selection of juries; construction and maintenance of roads and bridges; care of the indigent, infirm, and disabled.
5. Issuing orders on the county treasury in pursuance of its fiscal administration.
6. Appropriating funds necessary to the effecting of its functions, raising such sums through taxation, and in general the management of county funds and county business.¹

The first state constitution, 1818, made provision for the election of three county commissioners in each county, whose powers and duties were to be regulated by law.² The establishment of elective county commissioners was a distinct change from the centralization of government as practiced under the territorial government in Illinois prior to the formation of the state. The territorial laws had provided for the appointment of local officials by the territorial authorities. The local administrative officials, under these laws, performed the judicial function within the limits of their jurisdiction.

In 1819 the general assembly provided for an administrative, non-judicial court to be composed of the three elected officers and to be styled "the county commissioners' court".³ Thus a change is noted in the separation of administrative from judicial function along the lines of the Pennsylvania system of local government. Since Cumberland County

1. R.S.1845, CH. XXVII, SEC. 15,17,20,25,29,34-38,46,47; R.S.1874, CH. XL, SEC. 25,57.
2. CONSTITUTION OF 1818, CH. VIII, SEC. 4; L.1819, P. 175.
3. UNDER THE LAWS OF 1819, THE COMMISSIONERS WERE TO SERVE UNTIL AUGUST 1820; L.1819, P. 100. THEN IN 1821 THE TERM WAS MADE FOR A BIENNIAL PERIOD; L.1821, P. 80, SEC. 15; L.1823, P. 66, SEC. 32; R.L.1822, P. 67, SEC. 25; R.L.1833, P. 255, SEC. 25.

was established March 2, 1843, it came first under the administration of the county commissioners' court, the first meeting of the court being held on May 1, 1843.¹ Six years later the county came under the administration of the county court.

The mobility of population with attachments to different types of local government was an influencing factor in the development of local government in Illinois. The south with its large farms and plantations found the county unit the system best fitted to its needs. The northern industrial and marketing states on the other hand found the township system more advantageous. During the first decade of the state, following its organization in 1818, the disintegration of the early civil townships and the formation of districts and sub-districts for elections, roads, and other purposes, showed the influence of migration from the south.

The arrival of township adherents into Illinois from the east and Middle Atlantic States, resulted from the town lot speculation which began in Chicago and spread over the state. In addition to the marketing in Chicago of town plats, vessels regularly carried plats of town lots to the New York and Boston markets. The ensuing speculation which reached its peak in 1836, brought about an influx of settlers, and towns and marketing centers arose rapidly.

Those conflicting influences, together with compromises and adaptation to local needs, brought about the legislation enacted in 1849 for two types of county government. An administrative county court was established for each county of the state, the township plan optional at the acceptance of the county electorate.²

Cumberland County failing to elect the township plan in 1849, was governed by the county court from 1849 to 1861. During the period of its county administrative function, the court had delegated to it the duties formerly performed by the county commissioners' court.³ When so acting the powers of the county court were carried out by the county judge and two justices of the peace. The county court serving in this capacity met at special terms in each year and was distinct from the county court in its judicial function. In the latter instance the duties were performed solely by the county judge.

1. L.1843, P. 94.

2. THE CONSTITUTION OF 1848, ART. VII, SEC. 6, HAD REQUIRED THE GENERAL ASSEMBLY TO PROVIDE FOR AN OPTIONAL FORM OF TOWNSHIP ORGANIZATION OF COUNTIES., SEE L.1849, P. 190-229, ALSO L.1851, P. 35-78; CONSTITUTION OF 1870, ART. X, SEC. 6.

3. CONSTITUTION OF 1848, ART. V, SEC. 17,19; L.1849, P. 62,66.

County Board of
Supervisors - Proceedings
of Board

(1)

In 1859 the county elected the township plan, and the first county board of supervisors, successor to the county court, was elected in April, 1861. Under this plan, the membership of the board was made up of the several township supervisors elected, one from each township, by the township electorate.

The township law in Illinois closely patterned that of New York. Its main features were the decentralization of road administration and state functions, such as assessment and collection of taxes. However, the broader powers of transacting and administering county business remained vested in the county body itself. In this respect the powers of Illinois town governments fell short of those of New England towns.

The records listed in this section were kept in Cumberland County, first, by the clerk of the county commissioners' court from 1843 to 1849; second, by the clerk of the county court from 1849 to 1861; third, by the clerk of the county court as ex-officio clerk of the county board of supervisors from 1861 to 1870; and finally, by the county clerk in his ex-officio capacity as clerk of the county board of supervisors from 1870 to date.

The major record kept by the clerk for the board is the minutes of its proceedings. This heterogeneous record includes: orders to issue warrants on the county treasury; the board's consideration of and action on reports of committees of its members on roads and bridges, indigent and infirm relief, schools, taxation, etc.; and its orders in regard to juries, licenses, and other matters within its jurisdiction.¹

The clerk also keeps separately, a register of orders issued on the county treasury and lists of jury venire, files and preserves all bills of accounts acted on by the board, and takes custody of reports required to be made to the board by the county treasurer, various school bodies, and a number of county officers.²

Proceedings of Board

1. (SUPERVISORS' PROCEEDINGS), 1885--. In Miscellaneous Papers, entry 66.

Proceedings of the board of supervisors, showing dates, names of supervisors, business transacted, and resolutions adopted.

For other supervisors' papers, see entries 71, 122.

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1. L.1819, P. 5,6,28,77,127,334-38,352; L.1823, P. 145,149; L.1825, P.130,131; R.L.1829, P. 126,132-37,151-53; L.1831, P. 89,90; L.1835, P. 131,132,136,200; L.1839, P. 71,72; R.S.1845, P. 51-55,287,342,403,437; L.1849, P. 66; L.1861, P. 234-37; R.S.1874, P. 323.
 2. L.1819, P. 201,315; L.1825, P. 147; R.L.1827, P. 366; L.1843, P. 169; R.S.1845, P. 136,366; L.1861, P. 237; R.S.1874, P. 325.

County Board of Supervisors -
Disposition of Accounts

(2-7)

2. SUPERVISORS' RECORD, 1885--. 6 v. (1-6).
Record of proceedings of board of supervisors, showing dates of meetings, names of supervisors, dates of adjournments, claims allowed, appropriations, and all business transacted by county board. Also contains (Annual Reports to County Board), entry 16, and Statement of Account of County Collector, 1902--, entry 204. Arr. chron. No index. Hdw. 600 p. 18 x 12 x 3. Co. clk.'s vlt., 1st fl.

Disposition of Accounts

Register of
County Orders

3. REGISTER OF COUNTY ORDERS, 1885--. 6 v.
Register of orders issued, including warrants issued for mothers' pensions, blind pensions, births and deaths, and general fund for salaries and office expenses, showing to whom issued, amount, and date of payment. Arr. chron. No index. Hdw. on pr. fm. 482 p. 16 x 14 x 1½. Co. clk.'s vlt., 1st fl.

Cancelled County
Orders (See also entries 122, 218.)

4. COUNTY ORDERS, 1885--. 32 v.
Stubs of county orders, showing number, date, amount, to whom issued, and purpose of payment. Also contains Highway Warrants, 1885-1921, entry 7, and Death Certificate Warrants, 1916--, entry 10. Arr. by order no. No index. Hdw. on pr. fm. 500 p. 17½ x 12 x 3. 26 v., 1885-1929, strm., attic, 3rd fl.; 6 v., 1930--, co. clk.'s vlt., 1st fl.

5. JURORS' CERTIFICATES, 1884--. 7 v.
Stubs of certificates issued to jurors, showing name of juror, date of service, mileage allowed, and total amount of fee. Arr. chron. No index. Hdw. on pr. fm. 500 p. 17½ x 12 x 3. 6 v., 1884-1929, strm., attic, 3rd fl.; 1 v., 1930--, co. clk.'s vlt., 1st fl.

6. JURY WARRANT, 1886--. 4 v.
Record of warrants issued to jurors upon presentation of jury certificates, showing date of service, mileage allowed, and total fee paid. Arr. by warrant no. No index. Hdw. on pr. fm. 300 p. 17 x 12 x 1½. Co. clk.'s vlt., 1st fl.

7. HIGHWAY WARRANTS, 1922--. 10 v.
1885-1921 in County Orders, entry 4.
Stubs of warrants issued for material and labor on highways and insurance of men, showing date, and amount paid. Arr. by warrant no. No index. Hdw. on pr. fm. 220 p. 17 x 11 x 1. Co. clk.'s vlt., 1st fl.

8. MOTOR FUEL TAX ORDER BOOK, 1932--. 1 v.
Stubs of orders issued against motor fuel tax fund to treasurer, for approved highway expenses, materials, and wages. Arr. by order no. No index. Hdw. on pr. fm. 300 p. $16\frac{1}{2}$ x 13 x 2. Co. clk.'s vlt., 1st fl.

9. THE 15 D REFUND ORDER BOOK, 1932--. 1 v.
Stubs of orders to treasurer for 15 D refunds from state, for money expended by county on approved highway projects. Arr. by order no. No index. Hdw. on pr. fm. 100 p. $16\frac{1}{2}$ x 13 x 1. Co. clk.'s vlt., 1st fl.

10. DEATH CERTIFICATE WARRANTS, 1885-1915. 5 v. 1916-- in
County Orders, entry 4.
Stubs of warrants in payment for issuance of death certificates, showing date, number of certificate, and to whom issued. Arr. chron. No index. Hdw. under pr. hdgs. Paper poor. 200 p. 18 x 12 x $2\frac{1}{2}$. 2 v., 1885-1900, strm., attic; 3 v., 1901-15, co. clk.'s vlt., 1st fl.

11. SPARROW ORDERS, 1891-1901. 2 v. Discontinued.
Stubs of sparrow orders, showing date, number of certificate, number of sparrows killed, amount of order, and to whom issued. Arr. by certificate no. No index. Hdw. on pr. fm. Paper poor. 200 p. 18 x 12 x 1. Strm., attic, 3rd fl.

12. WARRANTS, GROUND HOGS, CROWS AND CROWS' EGGS, 1907-10. 1 v.
Discontinued.
Stubs of bounty warrants issued for killing crows, taking crows' eggs, and killing ground-hogs, showing date, amount, to whom issued, and service performed. Arr. by warrant no. No index. Hdw. on pr. fm. Binding poor. 200 p. 18 x 11 x 1. Strm., attic, 3rd fl.

Pension Funds and
Applications (See also entries
3, 123, 124, 215, 216.)

13. RECORD OF APPLICANTS FOR RELIEF OF BLIND, 1915--. 1 v.
Record of applications for blind relief, showing number and date of application, name and address of applicant, names of two citizens making affidavit, date referred to examiner, examiner's certificate, and approval by board. Arr. chron. Indexed alph. by name of applicant. Hdw. on pr. fm. 158 p. 18 x 12 x 1. Co. clk.'s vlt., 1st fl.

Bills and Claims
(See also entries 2, 15.)

14. CLAIM RECORD, 1890-94. 1 v. Discontinued.
Record of claims against county, showing date and receipt of order, to whom due, purpose, amount of claim, and amount allowed. Arr. alph. by name of claimant. No index. Hdw. under pr. hdgs. 240 p. $17\frac{1}{2}$ x 11 x $1\frac{1}{8}$. Co. clk.'s vlt., 1st fl.

Management of County Properties

Petitions and
Correspondence

15. LETTERS, BILLS FOR SUPERVISORS, INVOICES, 1927--. 6 f.b. Letters to county clerk, invoices for material bought by board of supervisors, and bills for county expense to be presented to board of supervisors. Arr. chron. Indexed alph. by name of writer, claimant, or bill. 11 x 2 $\frac{1}{2}$ x 14. Co. clk.'s vlt., 1st fl.

Reports to County Board

16. (ANNUAL REPORTS TO COUNTY BOARD), 1885--. In Supervisors' Record, entry 2. Treasurer's and collector's annual reports, and reports of the superintendent of schools on his examination of financial condition of schools.

17. (REPORTS OF COUNTY OFFICERS), 1885--. In Miscellaneous Papers, entry 66. Reports of receipts and expenditures of various county officers to board of supervisors including county clerk, circuit clerk, sheriff and state's attorney.

Jury Lists

(See also entries 108, 166, 185-187.)

18. REGISTER OF JURORS, 1885--. 1 v. (1). List of grand and petit jurors, showing name and address of juror, and date of court term. Arr. chron. No index. Hdw. 480 p. 13 x 10 x 2. Co. clk.'s vlt., 1st fl.

II. COUNTY CLERK

The county clerk has the most varied duties of any county official. To his office belong important duties relating to taxation, elections, vital statistics, licenses, bonds, and lesser duties in the operation of county government. Jurisdiction in these matters is distributed to a number of state and county authorities and the clerk's relationship with these groups makes him a de facto chief executive officer of the county. He is custodian of the county records, ex-officio clerk of the county court, and ex-officio clerk of the county board of supervisors. The records he keeps in each case belong to his office, the county court, and the county board respectively.

The early legal status of the county clerk was first as clerk of the county commissioners' court, an administrative, nonjudicial body.¹ The clerk was in practice the county clerk, as well as clerk of the county commissioners' court.

An interesting change took place in this office under the constitution of 1848 and the legislation of 1849. Under the provisions of this legislation, the clerk served as an officer of both an administrative body and a judicial court. His title was clerk of the county court.² The administrative body was the county court (the county board) sitting at special terms and composed of the county judge and two justices of the peace. The judicial court was the county court administered by a single officer, the county judge. The clerk of the court in its administrative function was the successor to the clerk of the county commissioners' court. His ex-officio office of clerk of a judicial court first began at this time, namely 1849, his ministerial duties as clerk of the county court extending also to the court's probate jurisdiction. For this county court function, the clerk performed the ministerial duties formerly delegated to the probate justice of the peace.³

In 1861 another change was made in the governing body of Cumberland County. At the election in 1859 township organization was voted upon and accepted. The first county board, elected in 1861, became the "county board of supervisors", the duties formerly commissioned to the county court for county transactions being transferred to this board. The clerk's title remained "clerk of the county court" and he retained his role as clerk of the county court and of the county board.

The clerk when acting for the county was frequently referred to in legislation, prior to 1870, as the "county clerk." However, the constitution of 1870 titled the clerk, when so acting, as the "county clerk." He was elected by the county electorate as the county clerk and continued to act as clerk of the county court and of the county board.⁴

With the revision of the law in 1874, a careful distinction in terms came to be made. The county clerk, whenever he acts for the county court in its law jurisdiction, is referred to as clerk of the county court;⁵ when he acts for the county board, he is expressly declared to be so doing.⁶

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1. CLERK WAS AN APPOINTEE OF THE COUNTY COMMISSIONERS' COURT FROM 1819 TO 1837. L.1819, P. 175. IN 1837, THE OFFICE BECAME ELECTIVE WITH A TERM OF TWO YEARS. L.1837, P. 49; R.S.1845, P. 573.
 2. CONSTITUTION OF 1848, ART. V, SEC. 16,18,19; L.1849, P. 63. LIKE HIS PREDECESSOR, AN ELECTIVE OFFICER, BUT WITH A TERM OF FOUR YEARS.
 3. 1810.
 4. CONSTITUTION OF 1870, ART. VI, SEC. 18 AND ART. X, SEC. 8. THE CLERK'S TERM WAS SET FOR FOUR YEARS.
 5. R.S.1874, P. 260.
 6. R.S.1874, P. 273.

Thus the simple designation of county clerk is reserved for the officer when he performs that group of duties which belong to his office alone, and which gives rise to the records in this section.¹

In review, it may be said that the county clerk's office has existed in Cumberland County from its organization in 1843 to the present time. His earliest title was clerk of the county commissioners' court; later he was known as clerk of the county court; then under the Constitution of 1870 he was titled the county clerk. As clerk of the county board he was first clerk of the county commissioners' court; second, clerk of the county court as ex-officio clerk of said court sitting in county transactions; third, clerk of the county court as the ex-officio clerk of the county board of supervisors; fourth, the county clerk as ex-officio clerk of the county board of supervisors. His office as clerk of a judicial court began in 1849. Starting with the Constitution of 1870, until the present, the county clerk when acting for the county court in its probate function has been referred to as ex-officio clerk of the probate court.

The clerk is required to keep an extensive group of taxation records. He has legal custody of the books used by the supervisor of assessments and compiles those used by the collector, obtains and prepares abstracts of assessments and collections, keeps records of the proceedings of special tax bodies, makes reports of delinquent taxes returned by the collector, attends all tax sales and prepares a list of all sales and issues duplicate reports thereof, and records affidavits of purchases of property for taxes; records tax sales, forfeitures, and redemptions in a book, kept by him, known as "the tax judgment, sale, redemption, and forfeiture record."² In addition, various lists and receipts involved in the taxation procedure from beginning to end are required to be transmitted to him.³

The department of public health in Illinois has charge of the registration of births and deaths but the county clerk keeps complete records of that category of vital statistics, as well as of marriages, the registration of which is regulated solely by statute.

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1. THE BOND OF THE COUNTY CLERK, HOWEVER, COVERS ALSO HIS ACTIONS AS CLERK OF THE COUNTY COURT AND AS CLERK FOR THE COUNTY BOARD. THE PENAL SUM IS FIXED BY THE LATTER BODY, WHICH ALSO PASSES ON THE SECURITIES, AND THE BOND ITSELF IS FILED WITH THE CLERK OF THE CIRCUIT COURT. R.S.1874, P. 321.
 2. L.1819, P. 317; L.1825, P. 173,174; R.L.1827, P. 327-33; L.1839, P. 4-7, 12,14; L.1845, P. 9,11,12; L.1853, P. 102; L.1855, P. 35-37,40; L.1872, P. 19,32-34,46,55; L.1873, P. 51; L.1879, P. 240-42; L.1881, P. 133; L.1885, P. 77,192-97; L.1898, P. 41,47-50; L.1915, P. 389; L.1935, P. 1218.
 3. R.L.1827, P. 330; R.L.1837, P. 572; L.1840, P. 4; L.1843, P. 232; L.1872, P. 56-58; L.1885, P. 77; L.1898, P. 40,41; L.1909, P. 331,333.

Marriage certificates are returned to the clerk by persons qualified to celebrate ceremonies; copies of birth, stillbirth, and death certificates are transmitted to him by the local registrars of the department of public health (in Cumberland County, the clerks of townships). The clerk registers and files all certificates and records marriages, births and deaths in separate books, and indexes each separately.¹

The clerk is involved in nearly every step of the election procedure. He issues and keeps a record of blank ballots; petitions, marked ballots, tally sheets, and returns of elections are required to be transmitted to him by election officials.² Formerly the clerk originated the abstracts of returns; those currently found in his office are copies he is required by law to obtain from the election commissioners or judges of election. Canvasses were also originally made by the clerk, but now the clerk, with the justices of the peace, audits votes by election precincts.³

The bonds of a number of county officers are required to be transmitted to the clerk and filed by him.⁴ He is required to keep a book in which is entered a minute of those bonds, and such other information as serves to provide an index to them.⁵ In practice, this book is sometimes broken down into several volumes, segregating information relating to bonds of separate officers.

The clerk issues licenses to peddlers, taverns, ferries, etc., and is required to keep records thereof.⁶ In addition, he keeps records of estrays, registers of physicians and midwives, and lists of county officers, compiled from information sent to him to enable him to perform these and other duties of his office.⁷

Besides the papers he is required to issue and those he is required to file and preserve, the county clerk also is charged by law with the care and custody of all other books and papers pertaining to his office.⁸ Of this last group, arising indirectly in the performance of his other duties, he is required to keep alphabetical indexes.⁹

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1. L.1819, P. 26,281; R.S.1845, CH. XVII, SEC. 3-5, CH. LXIX, SEC. 6; R.S.1874, P. 695; L.1877, P. 200-210; L.1901, P. 301-4; L.1903, P. 315-18; L.1915, P. 660-70; L.1917, P. 2-36,763-66.
 2. L.1819, P. 25,206; L.1821, P. 77; L.1823, P. 54,55; R.L.1829, P. 59, 60; L.1845, P. 41,42; L.1871-72, P. 380; L.1885, P. 142.
 3. L.1819, P. 96; L.1885, P. 142.
 4. FOR CITATIONS TO THE LAWS SO PROVIDING, SEE THE DISCUSSIONS OF LEGAL STATUS UNDER EACH OFFICE IN THIS VOLUME.
 5. L.1861, P. 238; R.L.1874, P. 325.
 6. L.1819, P. 79; R.L.1827, P. 320; R.L.1833, P. 439; R.L.1837, P. 175.
 7. L.1819, P. 206,207; R.L.1827, P. 190,191; L.1877, P. 209.
 8. R.S.1874, P. 327.
 9. R.S.1874, P. 331.

Taxation
(See also entries 197-204.)

Lists of Taxable
Property, Levies

19. TAX LEVIES OR LISTS, 1885--. 52 bdl.

Tax lists of amounts wanted, issued by townships, showing name of township, date, amount, and purpose of tax. Docket of rates and amounts wanted made from these lists. Arr. chron. No index. 2 x 3 $\frac{1}{2}$ x 10. 42 bdl., 1885-1927, strm., attic, 3rd fl.; 10 bdl., 1928--., co. clk.'s vlt., 1st fl.

20. DOCKET OF RATES AND AMOUNT OF TAXES WANTED, 1885--. 2 v.
(1, 2).

Docket of rates and amount of taxes needed for townships in Cumberland County, showing state equalization value, railroad valuation, total valuations in districts, rate per \$100.00, and amount to be raised. Arr. alph. by name of twp. No index. Hdw. under pr. hdgs. 320 p. 18 x 12 x 1. Co. clk.'s vlt., 1st fl.

21. ASSESSOR'S BOOKS, 1885--. 542 v.

List of taxable real and personal property, showing owner's name, description of property, and assessed valuation. Arr. alph. by name of twp. No index. Hdw. under pr. hdgs. 260 p. 16 $\frac{1}{2}$ x 13 $\frac{1}{2}$ x 1. 494 v., 1885-1933, strm., attic, 3rd fl.; 48 v., 1927--., co. clk.'s vlt., 1st fl.

Cottonwood Township, 1885--. 63 v. Missing: 1889, 1918.
Crooked Creek Township, 1885--. 67 v. Missing: 1886, 1889.
Greenup Township, 1885--. 70 v. Missing: 1887, 1927.
Neoga Township, 1885--. 71 v.
Spring Point Township, 1885--. 65 v. Missing: 1886, 1889.
Sumpter Township, 1885--. 69 v.
Union Township, 1885--. 68 v. Missing: 1896.
Woodbury Township, 1885--. 69 v.

22. RAILROAD TAX BOOK, 1884--. 3 v. (2-4).

Record of all taxable property belonging to railroads in county, showing name of railroad, description of property, amount taxed, and date paid. Arr. chron. No index. Hdw. under pr. hdgs. 300 p. 17 x 14 $\frac{1}{2}$ x 1 $\frac{1}{2}$. Co. clk.'s vlt., 1st fl.

23. TELEGRAPH AND TELEPHONE TAX BOOK, 1885--. 4 v. (1-4).

Record of taxable telephone and telegraph personal property, showing name of company, description of property, amount taxed, and date paid. Arr. chron. No index. Hdw. under pr. hdgs. 340 p. 18 x 12 x 1. Co. clk.'s vlt., 1st fl.

24. ABSTRACT OF ASSESSMENTS, 1885--. 4 v. (1-4).

Tabular statements of columnar footings of all assessment books, on real and personal property, with grand summary of real, personal, and corporation taxes. Arr. chron. No index. Hdw. under pr. hdgs. 270 p. $16\frac{1}{2} \times 13 \times 1$. Co. clk.'s vlt., 1st fl.

25. ASSESSMENT AND STATEMENT OF TAXES CHARGED, 1892--. 3 f.b.

Certificates of county clerk to true and correct statement of total valuation of property listed for taxation, with dates. Arr. chron. No index. $10\frac{1}{2} \times 4\frac{1}{2} \times 13$. Co. clk.'s vlt., 1st fl.

26. SPECIAL ASSESSMENT RECORD AND DRAINAGE RECORD, 1916--. 2 f.b.

Special assessments and drainage papers, showing date, kind of improvement, names of property owners, legal description of property, and estimated damage to property, and valuation of drainage system, with amount of each installment, and total amount of assessment. Arr. chron. No index. $10\frac{1}{2} \times 4\frac{1}{2} \times 13$. Co. clk.'s vlt., 1st fl.

27. DISTRICT ROAD TAX LISTS, 1902-14. 1 box. Discontinued.

Road tax lists showing date and name of district road supervisor, and names of persons to work out tax on road. Arr. chron. No index. Condition poor. $18 \times 18 \times 3$. Strm., attic, 3rd fl.

Collection, Abatement

28. COLLECTOR'S BOOKS, 1885--. 94 v.

List of taxes levied and collected on all real and personal property. Collector's books, 1885-1930, are for entire county, one volume each year; subsequent to 1930, books are by separate townships. Arr. alph. by name of twp. No index. Hdw. under pr. hdgs. 600 p. $16\frac{1}{2} \times 14 \times 2$. 46 v., 1885-1930, co. clk.'s vlt., 1st fl.; 48 v., 1931--, treas.'s off., 1st fl.

Cumberland County (combined), 1885-1930. 46 v.

Cottonwood Township, 1931--. 6 v.

Crooked Creek Township, 1931--. 6 v.

Greenup Township, 1931--. 6 v.

Neoga Township, 1931--. 6 v.

Spring Point Township, 1931--. 6 v.

Sumpter Township, 1931--. 6 v.

Union Township, 1931--. 6 v.

Woodbury Township, 1931--. 6 v.

29. ABATEMENT RECORD, 1918--. 3 v. (1-3). Prior records cannot be located.

List of abatements and errors in assessment on real estate and footings of tax books, showing return by county collector for crediting of amount of errors. Arr. chron. No index. Hdw. under pr. hdgs. 320 p. $16\frac{1}{2} \times 11 \times 1\frac{1}{2}$. Treas.'s off., 1st fl.



Judgment, Sale,
Redemption

30. TAX JUDGMENT, SALE, REDEMPTION AND FORFEITURE, 1883--.

24 v. (1, 23 not numbered). Missing: 1898, 1899.

Lists of lands and lots ordered sold for taxes, showing name and residence of owner, date, location and description of property, amount due, petition and court order for sale, by whom redeemed, date, and amount paid. Arr. by sec., twp., and range. No index. Hdw. on pr. fm. 455 p. 18 x 12 $\frac{1}{2}$ x 2. V. 1, 1883-85, 18 v. not numbered, 1886-1917, strm., attic, 3rd fl.; 5 v. not numbered, 1918--., co. clk.'s vlt., 1st fl.

31. AFFIDAVITS FOR TAX DEEDS, 1885--. 3 f.b. 1885-- also in

Miscellaneous Papers, entry 66.

Files of affidavits for tax deeds, with legal procedure prior to execution of tax deeds, showing legal description of property, name of purchaser of tax certificate, and date of tax sale. Arr. chron. No index. 10 $\frac{1}{2}$ x 4 $\frac{1}{2}$ x 13. Co. clk.'s vlt., 1st fl.

32. AFFIDAVITS FOR TAX DEEDS (Record), 1885--. 2 v. (1, 2).

Record of affidavits for tax deeds by holder of certificate of purchase of tax delinquent land, proving legal ownership, and publication of notice. Arr. chron. Indexed alph. by name of affiant. Hdw. on pr. fm. 574 p. 15 $\frac{1}{2}$ x 11 x 2. Co. clk.'s vlt., 1st fl.

33. (CERTIFICATE OF REDEMPTION), 1885--. In Miscellaneous Papers, entry 66.

Certificates of redemption for lands sold for taxes, showing name and address of owner, legal description of property, by whom redeemed, date, and amount paid.

34. (DELINQUENT TAX LISTS), 1885--. In Miscellaneous Papers, entry 66.

Lists of delinquent taxes published in newspapers, showing name of owner, description of property, and amount delinquent.

35. TAX SALE CERTIFICATE, 1887--. 3 f.b. 1885-- also in

Miscellaneous Papers, entry 66.

Tax sale certificates of purchase, with date of sale, showing to whom assessed, legal description of property, amount of tax, special assessment, interest, and costs. Arr. by certificate no. No index. 10 $\frac{1}{2}$ x 4 $\frac{1}{2}$ x 13. Co. clk.'s vlt., 1st fl.

Vital Statistics

Births (Sec
also entry 64.)

36. REGISTER OF BIRTHS, 1885--. 10 v.

Register of births, showing name of child, sex, number in order of birth, and date; name, age, birthplace, color, and employment of father; maiden name, residence, color, age, birthplace and employment of mother; also shows number of children, and certification by physician or midwife. Arr. chron. 1885-1921, hdw.; 1922-23, typed; 1924--., hdw. on pr. fm. 600 p., 1000; 18 x 12 x 2 $\frac{1}{2}$, 9 x 7 x 4. Co. clk.'s vlt., 1st fl.



37. INDEX TO BIRTHS, 1885--. 3 v.

Index to Register of Births, showing record book and page number of entry. Also indexes Register of Stillbirths, 1885-1903, entry 42. Arr. alph. by surname of child. Hdw. under pr. hdgs. 500 p. 18 x 12 x 3. Co. clk.'s vlt., 1st fl.

38. (BIRTH CERTIFICATES), 1885--. In Miscellaneous Papers, entry 66. Birth certificates on state board of health forms.

Deaths (See also
entries 10, 64.)

39. DEATH RECORD, 1885--. 6 v. Title varies: Register of Deaths. Record of deaths, showing full name of deceased, sex, dates of birth and death, marital status, age, last occupation, place of death, length of residence in state, place and date of burial, name of undertaker, and medical certificate as to cause of death, date, and by whom reported. Also contains Register of Stillbirths, 1904--, entry 42. Arr. chron. Indexed alph. by name of deceased; for sep. index, see entry 40. Hdw. on pr. fm. 600 p., 1000 p.; 18 x 12 x 2 $\frac{1}{2}$, 9 x 7 x 4. Co. clk.'s vlt., 1st fl.

40. INDEX TO DEATHS, 1885--. 2 v.

Index to Death Record, showing name, date of death or stillbirth, and book and page number of entry. Arr. alph. by surname of deceased. Hdw. under pr. hdgs. 540 p. 18 x 12 x 2 $\frac{1}{2}$. Co. clk.'s vlt., 1st fl.

41. (DEATH CERTIFICATES), 1885--. In Miscellaneous Papers, entry 66. Death certificates on state board of health forms.

42. REGISTER OF STILLBIRTHS, 1844-1903. 1 v.

1904-- in Death Record, entry 39.

Register of stillbirths, showing date of return of certificate, place of birth, sex and color of child, names and nativity of mother and father, cause of death, and signatures and residences of medical attendant and undertaker. Arr. chron. Indexed alph. by surname of infant; for sep. index, see entry 37. Hdw. 270 p. 17 x 11 x 1. Co. clk.'s vlt., 1st fl.

Marriages

43. INDEX TO MARRIAGES, 1885--. 2 v.

Index to Marriage Register and Marriage Record, showing names of bride and groom, number of marriage license, and book and page of entry. Arr. alph. by surname of bride and groom. Hdw. under pr. hdgs. 540 p. 16 x 11 x 2. Co. clk.'s vlt., 1st fl.

44. MARRIAGE REGISTER, 1885--. 2 v. (1, 2).

Register of marriages, showing number of license, date, by whom affidavit is made, consent to marriage, full name of groom, residence, occupation, age next birthday, color, place of birth, father's name, mother's maiden name, number of groom's marriage, name of bride, residence, age, color, place of birth, father's and mother's names, number of bride's marriage, date and place of marriage, witnesses, by whom certified, and dates of return and registration. Arr. chron. For index, see entry 43. Hdw. under pr. hdgs. 640 p. 18 x 12 x 3. Co. clk.'s vlt., 1st fl.

45. MARRIAGE RECORD (and Returned Licenses), 1885--. 7 v.
(1-4, 3 not numbered). 1880-84 in Miscellaneous Record,
entry 65.

Volumes 1-4, 1885-1921, consists of copies of marriage licenses, showing names and ages of bride and groom, date and certification of marriage, dates issued, returned, and filed, questions and answers of bride and groom on state board of health forms; 3 volumes not numbered, 1921--, contain original marriage licenses with returns on back by party certifying to their return. Also contains Marriage Record (Minors), 1885-94, 1924--, entry 46. Arr. chron. For index, see entry 43. Hdw. on pr. fm. 600 p., 1000 p.; 18 x 12 x 3, 11 x 9 x 4. Co. clk.'s vlt., 1st fl.

46. MARRIAGE RECORD (Minors), 1895-1923. 2 v. (3, 4). 1885-94,
1924-- in Marriage Record (and Returned Licenses), entry 45.

Record of marriage licenses for minors, showing marriage affidavit, consent of parent or guardian to marriage of minor, and proof of signature. Arr. chron. Indexed alph. by surname of minor. Hdw. on pr. fm. 540 p. 18 x 12 x 2. Co. clk.'s vlt., 1st fl.

47. MARRIAGE APPLICATION REGISTER, 1885--. 8 v.

Record of marriage license applications on state board of health form, showing names and ages of bride and groom, places of residence, occupation of groom, number of marriages of each, names of parents, and officiating party and witnesses, and date of marriage. Arr. chron. Indexed alph. by names of bride and groom. Hdw. on pr. fm. 600 p. 18 x 12 x 3. Co. clk.'s vlt., 1st fl.

48. MARRIAGE LICENSES, 1896-1900. 1 f.b.

1885-95, 1901-- in Miscellaneous Papers, entry 66.

Original marriage certificates on state board of health forms, showing names and ages of bride and groom, and date and certification of marriage; also date issued, married, returned and filed. Arr. chron. No index. $10\frac{1}{2}$ x $4\frac{1}{2}$ x 13. Co. clk.'s vlt., 1st fl.

Licenses and Registers

Register of
Officers

49. REGISTER OF COMMISSIONS, 1885--. 1 v. (1).

Register of town, village, city, and county officers showing name of officer, kind of office, date elected or appointed, date and amount of bond, names of sureties, dates sworn in, commission, and expiration of office. Arr. chron. Indexed alph. by name of officer. Hdw. on pr. fm. 640 p. 18 x 12 x 3. Co. clk.'s vlt., 1st fl.

Professional Licenses
and Registers

50. REGISTER OF PHYSICIANS, 1886-1923. 1 v. 1886-- also in Register of Physicians' Certificates, entry 51. Physicians' register showing date of registration, name of physician or surgeon, age, place of birth, residence and business address, length of practice, and name of college. Arr. chron. Indexed alph. by name of physician. Hdw. 600 p. $17\frac{1}{2} \times 11 \times 3$. Co. clk.'s vlt., 1st fl.
51. REGISTER OF PHYSICIANS' CERTIFICATES (Accoucheurs and Veterinarians), 1886--. 3 v. (1, 1, 1886-1929; 2, 1889--). Title varies: Record of Physicians' Certificates; Register of Physicians and Accoucheurs. Copies of certificates of state board of health issued to physicians, midwives, nurses, and to veterinarians, showing names of persons to whom certificates were issued, place of residence, qualifications, date of issuance, and signature of secretary. Register of Physicians also kept separately, 1886-1923, entry 50. Also contains Register of Dentists, 1889--, entry 52; and Optometry Record, 1918--, entry 53. Arr. chron. Indexed alph. by name of person receiving license. Hdw. 292 p. $18 \times 12 \times 1\frac{1}{2}$. Co. clk.'s vlt., 1st fl.
52. REGISTER OF DENTISTS, 1888. 1 v. 1889-- in Register of Physicians' Certificates, entry 51. Register of persons licensed to practice dentistry, showing date filed for register, name of dentist, residence, age, number of years in practice, date of license, and name of institution granting license. Arr. chron. Indexed alph. by name of dentist. Hdw. 160 p. $15\frac{1}{2} \times 10\frac{1}{2} \times 1$. Co. clk.'s vlt., 1st fl.
53. OPTOMETRY RECORD, 1915-17. 1 v. 1918-- in Register of Physicians' Certificates, entry 51. Transcripts of certificates issued by state board of optometrists, showing name and age of applicant, date of issue, qualifications, business address, date of expiration, and signature of secretary of board. Arr. chron. Indexed alph. by name of optometrist. Hdw. on pr. fm. 292 p. $18 \times 12 \times 1\frac{1}{2}$. Co. clk.'s vlt., 1st fl.
54. (ARCHITECTS' CERTIFICATES), 1880--. In Miscellaneous Record, entry 65. Copies of architects' certificates, showing date, name of architect, registration number, and names of board of examiners.
55. (VETERINARIAN CERTIFICATES), 1880--. In Miscellaneous Record, entry 65. Copies of veterinarians' certificates, showing date, name of veterinarian, registration number, and names of board of examiners.

County Clerk - Elections;
Bonds of Officers

(56-62)

Dog Licenses

56. RECORD OF DOG LICENSE TAGS, 1891--. 1 v.
Register of dog license tags, showing date, name of assessor, and number of license tags issued to him and number returned to county clerk; also record of dog license tags issued by county clerk to owners of dogs not listed by the assessor. Arr. by license no. No index. Hdw. under pr. hdgs. 160 p. 15 x $8\frac{1}{2}$ x 1. Co. clk.'s vlt., 1st fl.

Estrays

57. ESTRAY RECORD, 1887--. 1 v.
Record of animals taken up, showing date, name of finder, description of animal, and notice. Arr. chron. No index. Hdw. 400 p. 13 x 10 x 2. Co. clk.'s vlt., 1st fl.

Elections
(See also entry 71.)

58. (ABSTRACT OF VOTES), 1885--. In Miscellaneous Papers, entry 66.
Abstract of votes in county and state elections.

59. ELECTION RETURNS, 1930--. 4 v.
Record of election returns, showing date, names of candidates, precinct vote, and total vote cast. Arr. chron. No index. Hdw. under pr. hdgs. 12 p. 14 x 14 x $\frac{1}{2}$. Co. clk.'s vlt., 1st fl.

Bonds of Officers
(See also entries 71, 95.)

60. OLD BONDS, 1885--. 3 f.b.
Bonds of township, and county officers, showing names of officers, amount and date of bond, names of sureties, and dates of cancellation. Arr. chron. No index. $10\frac{1}{2}$ x $4\frac{1}{2}$ x 13. Co. clk.'s vlt., 1st fl.

61. (OFFICERS' BOND RECORD), 1880--. In Miscellaneous Record, entry 65.
Copies of bonds of county officers, showing names of officers and sureties, amount and terms of bond, and dates of execution and termination.

62. ASSESSORS' BOND RECORD (Supervisor of Assessments), 1899--.
1 v., 1 f.b. (v. 1, 1899-1931; f.b. not numbered, 1918--).
Title varies: Bonds of Town Assessors.
Bonds of town assessors and supervisors of assessments, showing names of bonded officials and sureties, and date and amount of bond. Arr. chron. Indexed alph. by name of bonded official. Hdw. on pr. fm. V. 300 p. 18 x 12 x 2, f.b. $10\frac{1}{2}$ x $4\frac{1}{2}$ x 13. Co. clk.'s vlt., 1st fl.



County Clerk - Fees,
Receipts, and Expenditures;
Miscellaneous Records

(63-66)

Fees, Receipts, and Expenditures

63. RECEIPTS AND EXPENDITURES, COUNTY CLERK, 1885--. 3 v. (1-3). Register of fees received by county clerk, showing date, amount, from whom received, and purpose of payment; also items of expenditures, showing date and to whom paid. Also contains (Probate Receipts and Expenditures), entry 158. Arr. chron. No index. Hdw. under pr. hdgs. 400 p. $16\frac{1}{2}$ x 14 x $2\frac{1}{2}$. Co. clk.'s vlt., 1st fl.

64. COUNTY CLERK'S ACCOUNT WITH REGISTRARS OF BIRTHS AND DEATHS, 1902--. 2 v. (1, 1 not numbered). Title varies: Account Book - Births and Deaths. County clerk's account with registrar, showing number of births, stillbirths, and deaths, dates, and amount allowed for reporting. Arr. chron. Indexed alph. by name of registrar. Hdw. on pr. fm. 200 p. 18 x 12 x 1. Co. clk.'s vlt., 1st fl.

For register of warrants issued in payment for reports of births and deaths, see entry 3.

Miscellaneous Records

65. MISCELLANEOUS RECORD, 1880--. 1 v. (1). Miscellaneous records including Marriage Record, 1880-84, entry 45; (Architects' Certificates), entry 54; (Veterinarian Certificates), entry 55; (Officers Bond Record), entry 61; (Certificates of Elections of Trustees), entry 91; Lien on Gets, 1880-87, 1891--, entry 98; Administrators' Report Record, 1880-84, entry 145. Arr. chron. Indexed alph. by name of party of the first part. Hdw. 562 p. 18 x 12 x $3\frac{1}{2}$. Co. clk.'s vlt., 1st fl.

66. MISCELLANEOUS PAPERS, 1885--. 120 bdl. Miscellaneous documents including (Supervisors' Proceedings), entry 1; (Reports of County Officers), entry 17; Affidavits for Tax Deeds, entry 31; (Certificate of Redemption), entry 33; (Delinquent Tax Lists), entry 34; Tax Sale Certificates, entry 35; (Birth Certificates), entry 38; (Death Certificates), entry 41; Marriage Licenses, 1885-95, 1901--, entry 48; (Abstract of Votes), entry 58; Certificates of Moral Character, 1878-1929, entry 112. Arr. chron. No index. 5 x 4 x 10. Co. clk.'s vlt., 1st fl.

III. RECORDER

The recorder was originally elected in Cumberland County by the county electorate.¹ Five years after the organization of the county in 1843, the Constitution of 1848 made the clerk of the circuit court ex-officio recorder of deeds.² This provision was continued under the Constitution of 1870 for counties of less than 60,000 of population,³ and hence has persisted in Cumberland County from 1848 to the present day.

The circuit clerk is required to enter bond for \$10,000 for his duties as recorder.

The recorder in each county is required to keep the following records:

1. An entry book for the notation of the date and order of receipt of instruments, and the names of parties and location of property.
2. Books of recordation, with a single alphabetical index for grantor and grantee. Separate books may be kept for different classes of instruments; a separate series, denoted "B" for recordation of bills of sale, chattel mortgages, releases and extensions, etc.
3. A separate book to record certificates of honorable military, aviation, and naval discharges.
4. An index, arranged alphabetically by name of grantor, containing also name of grantee, and showing date and kind of instrument and the page of its recordation.
5. A similar index, kept by name of grantee. In practice this and the above index are sometimes kept as one numbered series, but with no results contrary to the intent of the law.
6. Other indexes, such as for instruments recorded by corporations, powers of attorney, chattel mortgages, etc. Sometimes duplicate "Grantor-Grantee Index", but recommended by utility.

1. ELECTED FOR FOUR-YEAR TERM. L.1835, P. 166. THE TERM WAS LATER REDUCED TO TWO YEARS. L.1845, P. 28.
2. CONSTITUTION OF 1848, ART. V, SEC. 19; L.1849, P. 63-66.
3. CONSTITUTION OF 1870, ART. X, SEC. 8; R.S.1874, P. 833.

7. An index to recorded maps and plats, based on location of property. Sometimes arranged by section, township, range, etc.
8. An abstract book, in effect indexing records by showing for each tract every conveyance or incumbrance recorded, its execution and filing date, and the book and page of its recordation. Series optional with county board.¹

The recorder, in recording at length any instrument in writing, is permitted to make a handwritten or typewritten transcription of the same, or he may make photographic or photostatic reproduction, or he may use a combination of these methods of recordation.² The reproductions are required to be placed in well-bound books.

Entry Books

67. ENTRY BOOK, 1885--. 10 v. (1-10).
Entries of deeds, mortgages, releases, chattel mortgages, contracts, patents, affidavits, and all other instruments filed for recording, showing date, amount of fee, document number, and names of grantor and grantee. Arr. chron. No index. Hdw. on pr. fm. 600 p. 18 x 12 x 2. Cir. clk.'s vlt., 1st fl.

68. CERTIFIED COPY OF ORIGINAL ENTRY BOOK, 1902. 2 v. (1, 2).
Copies of records of survey field notes made in Cumberland County, taken from records of field notes of surveys, as certified by state auditor, on file in office at Springfield, Illinois. Original entry book destroyed by fire in 1885. Arr. chron. No index. Hdw. on pr. fm. Binding poor. 325 p. 8 x 7 x 1. Cir. clk.'s vlt., 1st fl.

Instruments Recorded

General

69. GENERAL INDEX (Grantor-Grantee Deeds), 1885--. 10 v.
(1-4, 1 not numbered, grantor; 1-4, 1 not numbered, grantee).
Index to all types of deeds, showing names of grantor and grantee, type of instrument, date of filing, and book and page of record. Also indexes Release Record, entry 81. Arr. alph. by names of grantor and grantee. Hdw. under pr. hdgs. 600 p. 18 x 12 x 2. Cir. clk.'s vlt., 1st fl.

1. L.1019, P. 18,20,21; R.L.1029, P. 116,117; L.1047, P. 69; L.1053, P. 254; L.1067, P. 148; L.1069, P. 2; L.1071-72, P. 645,646; L.1073, P. 144; R.S.1074, P. 834-37; L.1917, P. 652; L.1925, P. 521; L.1933-34, THIRD SP. SESS., P. 214.

2. L.1933-34, THIRD SP. SESS., P. 214.

70. (UNCLAIMED PAPERS), 1886--. In Venire of Grand and Petit Jury, entry 185.

Uncalled for documents left for recording including sheriff's certificates of purchase and redemption, chattel and real estate mortgages, releases and master's deeds.

71. MISCELLANEOUS DOCUMENTS, 1873-1925. 10 f.b.

Deeds, mortgages, and releases left for recording and not called for, bundles of old certificates of levy, county court papers in people's cases, common law cases, and probate cases misplaced from original files, minutes of supervisors' meetings, transcripts, justice's bonds, contracts for deeds of conveyance, old ballots not used in elections, chattel mortgages, and executions on confessed judgments. Arr. chron. No index. 14 x 12 $\frac{1}{2}$ x 21. Strm., attic, 3rd fl.

Deeds (See also
entry 71.)

72. DEED RECORDS (Miscellaneous), 1885--. 23 v. (3-14, 1885-97; 16, 18-20, 22, 23, 31, 35, 46, 57, 64, 1892--).

Record of miscellaneous deeds, showing names of grantor and grantee, legal description of property, consideration, and dates. Also contains Oil and Gas Lease Record, 1885-1904, entry 92. Arr. alph. by names of grantor and grantee. For index, see entry 69. 1885-1923, hdw.; 1924--, typed. 600 p. 18 x 12 x 2. Cir. clk.'s vlt., 1st fl.

73. SHERIFF'S DEED RECORD, 1886--. 1 v. (1).

Record of sheriff's deeds, showing names of grantor, grantee, and sheriff, legal description of property, and dates of judgment, execution, and certificate of purchase. Arr. alph. by names of grantor and grantee. For index, see entry 69. Hdw. on pr. fm. 600 p. 18 x 12 x 2. Cir. clk.'s vlt., 1st fl.

74. TAX DEED RECORD, 1886--. 1 v. (2).

Record of tax deeds given under tax sales for non-payment of taxes, showing amount of sale, and date. Arr. alph. by names of grantor and grantee. For index, see entry 69. Hdw. on pr. fm. Binding poor. 600 p. 18 x 12 x 2. Cir. clk.'s vlt., 1st fl.

75. WARRANTY DEED RECORD, 1891--. 30 v. (15-66 not consecutive).

Record of warranty deeds, showing names of grantor and grantee, consideration, legal description of property, and dates. Arr. alph. by names of grantor and grantee. For index, see entry 69. 1891-1916, hdw. on pr. fm.; 1919--, typed on pr. fm. 600 p. 18 x 12 x 2. Cir. clk.'s vlt., 1st fl.

76. QUITCLAIM DEED RECORD, 1900--. 10 v. (27-65, not consecutive).

Record of quitclaim deeds, showing date, names of grantor and grantee, consideration, and legal description of property. Arr. alph. by names of grantor and grantee. For index, see entry 69. 1900-1920, hdw. on pr. fm.; 1921--, typed on pr. fm. 600 p. 18 x 12 x 2. Cir. clk.'s vlt., 1st fl.

Recorder - Instruments
Recorded

(77-83)

77. MASTER'S DEED RECORD, 1907--. 2 v. (1, 17).

Record of deeds made by master in chancery in partition and foreclosure cases, showing names of parties, dates, and amount involved. Arr. alph. by names of grantor and grantee. For index, see entry 69. Hdw. on pr. fm. 600 p. 18 x 12 x 2. Cir. clk.'s vlt., 1st fl.

78. PUBLIC ROAD RIGHT-OF-WAY, 1922--. 2 v. (1, 2). 1884-1921 in Surveyor's Records, entry 244.

Record of dedications of land for public road purposes, showing legal description of land dedicated or granted, attached maps of public roads with date, and names of parties and grantor and grantee. Arr. chron. Indexed alph. by name of grantor. Typed and blueprint. 600 p. 18 x 12 x 2. Cir. clk.'s vlt., 1st fl.

Mortgages - Real Property (See
also entry 71.)

79. MORTGAGE RECORD, 1885--. 54 v. (1-54).

Record of real estate mortgages, showing names of parties involved, amounts, legal description of property, and date of filing. Arr. chron. Indexed alph. by name of mortgagor; for sep. index, see entry 80. 1885-1918, hdw.; 1919--, typed. 600 p. 18 x 12 x 2. Cir. clk.'s vlt., 1st fl.

80. MORTGAGOR-MORTGAGEE INDEX, 1885--. 8 v. (1-4, mortgagor;
1-4, mortgagee).

Index to mortgages on real estate, showing names of mortgagor and mortgagee, legal description of property, dates, and record book and page numbers. Arr. alph. by names of mortgagor and mortgagee. Hdw. under pr. hdgs. Binding very poor v. 2, mortgagor. 600 p. 18 x 12 x 2. Cir. clk.'s vlt., 1st fl.

81. RELEASE RECORD, 1885--. 23 v. (1-23).

Record of releases of real estate mortgages, trust deeds, and a few releases of chattel mortgages and mechanic's liens. Arr. alph. by names of grantor and grantee. For index, see entry 69. 1885-1920, hdw.; 1921--, typed on pr. fm. 600 p. 18 x 12 x 2. Cir. clk.'s vlt., 1st fl.

82. INDEX TO MARGINAL RELEASES AND ASSIGNMENTS, 1898-1912.
1 v. Discontinued.

Index to marginal releases and assignments, showing names of mortgagor, mortgagee, assignor, and assignee, book and page of entry, date of release, and legal description of property. Arr. alph. by name of mortgagor. No index. Hdw. under pr. hdgs. 640 p. 18 x 12 x 2. Cir. clk.'s vlt., 1st fl.

Mortgages - Chattel (See
also entries 71, 119.)

83. CHATTEL MORTGAGES, 1834--. 1 f.b.

Mortgages on personal property, showing names of mortgagor and mortgagee, date and amount of mortgage, and court orders. Arr. chron. No index. 10 $\frac{1}{2}$ x 4 $\frac{1}{2}$ x 13. Cir. clk.'s vlt., 1st fl.

84. CHATTEL MORTGAGE RECORD, 1885--. 31 v. (1-31).

Mortgages on personal property, showing names of parties, date, amount, and date due. Also contains Extension of Chattel Mortgages, 1885-89, 1911--, entry 86. Arr. chron. Indexed alph. by names of mortgagor and mortgagee; for sep. index, see entry 85. 1885-1920, hdw. on pr. fm.; 1921--, typed. 600 p. 18 x 12 x 2. Cir. clk.'s vlt., 1st fl.

85. INDEX TO CHATTEL MORTGAGES, 1885--. 3 v. (1-3).

General index to all recorded chattel mortgages, showing names of mortgagor and mortgagee, date, and book and page number of entry. Arr. alph. by name of mortgagor. Hdw. under pr. hdgs. 700 p. 18 x 12 x 2 $\frac{1}{2}$. Cir. clk.'s vlt., 1st fl.

86. EXTENSION OF CHATTEL MORTGAGES, 1890-1910. 1 v. 1885-89, 1911-- in Chattel Mortgage Record, entry 84.

Record of extensions of chattel mortgages by affidavits, showing names of persons making affidavit, description of property, date, and amount involved. Arr. chron. Indexed alph. by name of mortgagor. Hdw. on pr. fm. 300 p. 18 x 12 x 1 $\frac{1}{2}$. Cir. clk.'s vlt., 1st fl.

Certificates of Levy and Sale (See also entry 71.)

87. MASTER'S CERTIFICATE OF SALE AND REDEMPTION, 1886--. 2 v. (1, 2). 1920-- also in Master's and Sheriff's Certificates, entry 89.

Master's certificates of sale and redemption, showing names of parties to chancery proceedings, date, and amount involved. Also contains Sheriff's Certificates of Sale, 1886-87, entry 88. Arr. chron. Indexed alph. by name of defendant. Hdw. on pr. fm. 600 p. 18 x 12 x 2. Cir. clk.'s vlt., 1st fl.

88. SHERIFF'S CERTIFICATE OF SALE, 1888--. 1 v. (1). 1886-87 in Master's Certificate of Sale and Redemption, entry 87; 1920-- also in Master's and Sheriff's Certificates, entry 89.

Record of certificates of levy, sale, purchase, and redemption, showing names of parties, date, amount, and legal description of real estate. Arr. chron. Indexed alph. by names of plaintiff and defendant. Hdw. on pr. fm. 600 p. 18 x 12 x 2. Cir. clk.'s vlt., 1st fl.

89. MASTER'S AND SHERIFF'S CERTIFICATES, 1920--. 1 v. (1).

Copies of masters' and sheriffs' certificates of sale and redemption, showing dates, legal description of property, and amounts received. Master's Certificates of Sale and Redemption, entry 87, and Sheriff's Certificate of Sale, entry 88, also kept separately. Arr. chron. Indexed alph. by name of defendant. Typed. 300 p. 18 x 12 x 2. Cir. clk.'s vlt., 1st fl.

90. CERTIFICATE OF PURCHASE RECORD, 1918--. 1 v. (1).

Certification of sale of land by sheriff, showing date of execution, date and amount of judgment, names of plaintiff and defendant, legal description of property, amount of sale, name of purchaser, and dates. Arr. chron. Indexed alph. by name of plaintiff. Hdw. 600 p. 18 x 12 x 2. Cir. clk.'s vlt., 1st fl.



Recorder - Instruments
Recorded

(91-93)

Other Instruments

91. (CERTIFICATES OF ELECTIONS OF TRUSTEES), 1880--. In Miscellaneous Record, entry 65.

Copies of certificates of elections of trustees of lodges, churches, and cemeteries, showing date of election, names of trustees elected, and abstract of vote of elections.

92. OIL AND GAS LEASE RECORD, 1905--. 10 v. (1-10). 1885-1904 in Deed Records (Miscellaneous), entry 72.

Record of oil and gas leases on lands, showing dates, names of lessor and lessee, and amount involved. Arr. chron. Indexed alph. by name of lessor. 1905-18, hdw. on pr. fm.; 1919--, typed. 600 p. 18 x 12 x 3. Cir. clk.'s vlt., 1st fl.

93. STALLION REGISTER, 1912--. 2 v. (1,2). Last entry 1926.

Record of renewal of license certificates for stallions, showing number, name of owner, address, date, and breed of stallion. Arr. chron. Indexed alph. by name of owner. Hdw. under pr. hdgs. 309 p. 18 x 12 x 1. Cir. clk.'s vlt., 1st fl.

94. SOLDIERS' DISCHARGE RECORD, 1919--. 1 v. (1).

Record of discharge from the United States Army, showing name of soldier, service war record, and date of discharge. Arr. chron. Indexed alph. by name of soldier. Hdw. on pr. fm. 320 p. 18 x 12 x 1 $\frac{1}{2}$. Cir. clk.'s vlt., 1st fl.

95. COLLECTORS' BOND RECORD, 1885-1918. 1 v.

Record of town collectors' bonds, showing names of person bonded, sureties, date, and amount of bond. Town collectors were discontinued in 1918 in small counties. Arr. chron. Indexed alph. by name of collector. Hdw. on pr. fm. 600 p. 18 x 12 x 2. Cir. clk.'s vlt., 1st fl.

96. DRAINAGE LIENS, 1918--. 2 f.b.

Claims for mechanics' liens against real and personal property, showing date, amount, against whom filed, and description of property; also assessment rolls for numbers 1 and 3 in Neoga drainage district, showing names of land-owners, and amounts assessed. Arr. chron. No index. 10 $\frac{1}{2}$ x 4 $\frac{1}{2}$ x 13. Cir. clk.'s vlt., 1st fl.

97. INDEX TO LIENS ON CHATTEL (Record), 1921--. 1 v. (1).

No prior records.

Record of liens upon chattels for labor, material, and storage, showing date, amount of claim, name of defendant, and description of property. Arr. alph. by name of defendant. Hdw. 300 p. 18 x 12 x 1 $\frac{1}{2}$. Cir. clk.'s vlt., 1st fl.

98. LIEN ON GETS, 1888-90. 1 v. 1880-87, 1891-- in Miscellaneous Record, entry 65.

Record of lien by owner of stallion upon offspring of mare, showing description, name of owner, and date and amount of lien. Arr. chron. Indexed alph. by name of owner of mare. Hdw. on pr. fm. 300 p. 17 x 11 $\frac{1}{2}$ x 2. Strm., attic, 3rd fl.

Maps and Plats

99. PLAT BOOK, 1886--.. 1 v. Last entry 1930.

Plats of subdivision of lands, villages and cemeterics, showing description of particular property. Arr. by sec., twp., and range. Indexed alph. by name of subdivision, addition, or cemetery. Hdw. on pr. fm. 300 p. 16 $\frac{1}{2}$ x 14 x 1 $\frac{1}{2}$. Cir. clk.'s vlt., 1st fl.

Fees, Receipts, and Expenditures

100. (RECEIPTS AND EXPENDITURES, RECORDER), 1886--.. In Receipts and Expenditures Record (Annual and Semiannual), entry 190.

Annual and semiannual register of receipts and expenditures, showing dates, amounts, and purpose of payments.

IV. COUNTY COURT

In Cumberland County, as in each county of the state, there is a county court administered by the county judge. The court hears and determines matters in which it has original or concurrent jurisdiction, including appeals from justices of the peace and police magistrates. The county judge is elected for a four-year term and before entering upon the duties of his office is required to take and subscribe to an oath which he files with the secretary of state.¹

During the first six years of Cumberland's existence, the judicial powers were vested in the courts of justices of the peace, the court of the probate justice, and the circuit court. The county court came into being under the Constitution of 1848 and the legislation of 1849.² As established, this county court was both an administrative and judicial body, a partial reversion to the dual function of the local judiciary in Illinois under the Territorial Laws prior to 1818. However, the court differed from the territorial courts in that its composition varied for the performance of each of the two functions. The judicial court was administered by the county judge, who was elected by the county electorate and commissioned by the governor. His original four-year tenure of office has remained effective to the present day.³ As the county administrative body, the court was composed of the county judge and two justices of the peace.

1. R.S. 1874, P. 339; L.1881, P. 70.

2. CONSTITUTION OF 1848, ART. V, SEC. 16; L.1849, P. 62.

3. L.1849, P. 64; R.S. 1874, P. 339; L.1933, P. 451.

Complete separation of the two powers of the county court could be had only with the acceptance by the county electorate of the township organization plan, under which the county board of supervisors constitutes the administrative body. Since the electorate of Cumberland did not select the township plan in 1849, it was governed by the county court until 1861, when the said township plan became effective, after its adoption in 1859. From 1861 to the present, the county court of Cumberland County has served only as a judicial court.

As established in 1849, the county court was vested with the same civil and criminal jurisdiction as the justices of the peace. The county judge was made the conservator of the peace for the county. He was given the same power and authority as the circuit court, in preserving order in the court, and punishing contempts offered the court while in session.¹

In addition to its civil and criminal jurisdiction the court was vested with all the powers and jurisdiction in probate matters formerly vested in the court of the probate justice of the peace. In its probate function the court was given concurrent jurisdiction with the circuit court.² In Cumberland County the county judge has served until the present day as ex-officio judge of the probate court.

The law jurisdiction of the county court in Cumberland County from 1874 to the present, is concurrent with that of the circuit court in that class of cases, first, wherein the justices of the peace have jurisdiction where the value of the amount in controversy does not exceed one thousand dollars;³ second, in all cases of appeals from justices of the peace and police magistrates; third, in all criminal offenses and misdemeanors where the punishment is not imprisonment in the penitentiary or death.⁴ The county court also has original jurisdiction in matters relating to indigent mothers,⁵ juvenile court matters,⁶ and jurisdiction over the person of insane persons not charged with crime.⁷

The election procedure from beginning to end is conducted under the direction of officers of the county court. In each city, village and incorporated town, there is a board of election commissioners composed of three appointees of the county court who serve alternately for three

1. L.1849, P. 64; L.1852, P. 99; R.S.1874, P. 339; L.1933, P. 451.

2. L.1849, P. 65; L.1852, P. 99.

3. UNDER THE LAWS OF 1872 THE JURISDICTION WAS IN CASES NOT EXCEEDING \$500. THE REVISED LAWS OF 1874 AND SUBSEQUENT LEGISLATION EXTENDED THE JURISDICTION TO CASES WHEREIN THE AMOUNT INVOLVED WAS NOT OVER \$1000.

4. R.S.1874, P. 339; L.1877, P. 77; L.1933, P. 448.

5. L.1913, P. 127; L.1915, P. 243; L.1921, P. 164; L.1934, P. 256.

6. L.1899, P. 131; L.1907, P. 70.

7. L.1893, P. 140.



year terms.¹ The election boards have authority and are charged with the organization of election districts and precincts, the appointment of judges and clerks of election, provision for election ballots, and the application of the rules and regulations for permanent registration and elections.² The county judge is a member of the county officers' electoral board, together with the county clerk and state's attorney. This board hears and determines objections to nominations for county and district offices of the county.³ Finally, the county court has original jurisdiction in election contests of certain county, district, and township officers.⁴

Appeals from the judgments and decisions of the county court may be taken to the circuit court.⁵ To the appellate court or supreme court may be taken and prosecuted appeals and writs of error in proceedings for the sale of lands for taxes and special assessments, and in all common law and attachment cases, and cases of forcible detainer and forcible entry and detainer. Such appeals and writs of error are, when not otherwise provided, taken and prosecuted in the same manner as appeals and writs of error from the circuit court.⁶

The records of the court are kept by the county clerk as ex-officio clerk of the county court. In addition to the statutory records described below, the clerk necessarily maintains others in effecting the court's orders.⁷

For the court, the clerk keeps the following records:

1. Books of record of the proceedings and judgments of the court, with alphabetical indexes by parties. Proceedings are recorded at length only in cases designated by law, or when the court, at the motion and assumption of expenses by one of the parties, so orders. In practice, the court record has been broken down from an early date into segregated types of proceedings and judgments.
2. "Plaintiff-Defendant Index to Court Records" and "Defendant-Plaintiff Index to Court Records." Intended to be separate records, but frequently combined in a single volume with the two indexes segregated in each volume.

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1. L.1885, P. 142; L.1892, P. 157; L.1917, P. 445; L.1922, P. 399; L.1933, P. 534; L.1935-36, FOURTH SP. SESS., P. 33.
 2. IBID.
 3. L.1891, P. 110; L.1929, P. 394, 395; L.1933, P. 552.
 4. L.1895, P. 170.
 5. R.S.1874, P. 339.
 6. R.S.1874, P. 339; L.1877, P. 77; L.1881, P. 66.
 7. THIS CATEGORY IS OBLIQUELY RECOGNIZED BY LAW; THOUGH THE FORM WHICH SUCH RECORDS TAKE IS GENERALLY DETERMINED BY COURT ORDER. L.1842, P. 66; R.S.1874, P. 263.

3. A general docket, in which all suits are entered in the order they are commenced.
4. A judgment and execution docket, containing a column for the entry of satisfaction or other disposition. In practice an execution docket is frequently set up independently.
5. Additional dockets, designated as the clerk's, judge's, and bar docket.¹ In practice the bar docket has tended to drop out of use.
6. A fee book, in which costs and fees are to be entered under the proper title of the cause. In practice separate series of volumes are maintained under these titles of causes.
7. Transcripts of proceedings in appeals from justices' courts, dockets thereof, and transcripts of judgment for liens, etc., from justices' courts.
8. Naturalization records, including petitions, proceedings, final certificates, etc. The county courts in Illinois prior to 1906 met the requirement of Federal Statutes to exercise naturalization jurisdiction.²
9. Original documents used in court hearings and determinations; of particular importance in the large number of cases where complete proceedings are not spread upon court record.³

Proceedings of Court

101. COMMON LAW AND PEOPLES' CASES (Combined), 1885--. 15 f.b.

Papers in common law and criminal cases, showing dates, names of parties, kind of action, and court orders. Arr. by case no. No index.

10 $\frac{1}{2}$ x 4 $\frac{1}{2}$ x 13. Co. clk.'s vlt., 1st fl.

For other case papers, see entry 71.

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1. THE CIVIL PRACTICE ACT OF 1933 GRANTS AUTHORITY TO COUNTY COURTS, SUBJECT TO RULES PROMULGATED BY THE SUPREME COURT AND NOT INCONSISTENT WITH STATUTORY REQUIREMENTS, TO MAKE SUCH RULES AS THEY MAY DEEM EXPEDIENT, REGULATING DOCKETS AND CALENDARS OF SAID COURT.
L.1933, P. 785, SEC. 2.
 2. U.S.S.1802, P. 153; U.S.R.S.1874, P. 378.
 3. R.S.1845, P. 57,323,324,414,418,419; L.1885, P. 79,80; L.1871-72, P. 325; R.S.1874, P. 262,263,339; L.1877, P. 77; L.1933, P. 448, 451; U.S.S.1802, P. 153-55; U.S.R.S.1874, P. 378-80; U.S.S.1906, P. 598-607; U.S.S.1915, P. 736-38; U.S.S.1926, P. 709,710.

[illegible]

102. COUNTY COURT RECORD, 1885--. 3 v. (1-3).

Record of common law and criminal cases, showing names of plaintiff, defendant, and attorneys, date, kind of action, and court orders. Also contains Judgment by Confession, 1885-1911, entry 113. Arr. chron. Indexed alph. by names of estate and defendant; for sep. index, see entry 103. Hdw. on pr. fm. 600 p. 18 x 12 x 2. Co. clk.'s vlt., 1st fl.

103. INDEX TO COURT RECORDS, 1885--. 1 v.

General index showing names of parties, kind of action, date, page number of court record, term disposed of, amount of judgment, and costs. Arr. alph. by name of defendant. Hdw. under pr. hdgs. 640 p. 18 x 12 x 2. Co. clk.'s vlt., 1st fl.

104. FEEBLE-MINDED AND INSANITY, 1885--. 3 f.b.

Files of writs, petitions, notices to alleged insane persons, reports of commission, orders for temporary restraint, showing findings of court, and orders and commitments; also petitions for care of feeble-minded, reports of commission, showing dates of orders and commitment. Arr. chron. No index. $10\frac{1}{2}$ x $4\frac{1}{2}$ x 13. Co. clk.'s vlt., 1st fl.

105. INSANITY RECORD, 1893-96. 1 v. 1885-92, 1897-- in Conservators-Insanity Record, entry 136.

Record of insanity cases, showing case number, names of alleged insane, petitioners, and jurors and medical examiners, court proceedings, orders of commitment or discharge, and dates. Arr. chron. Indexed alph. by name of alleged insane. Hdw. on pr. fm. 600 p. 18 x 12 x 2. Co. clk.'s vlt., 1st fl.

106. EXECUTIONS, 1888--. 2 f.b.

Writs of execution, showing dates, names of parties in suit, amount of judgment, and by whom execution served and returned. Arr. chron. No index. $10\frac{1}{2}$ x $4\frac{1}{2}$ x 13. Co. clk.'s vlt., 1st fl.

For other writs of execution, see entry 71.

107. ADOPTION, 1886--. 1 f.b.

Papers of adoption, showing names of petitioners, date, age of child, from whom adopted, court order, and final decree. Arr. chron. No index. $10\frac{1}{2}$ x $4\frac{1}{2}$ x 13. Co. clk.'s vlt., 1st fl.

108. PEOPLES' CASES AND DEPARTMENT OF PUBLIC WORKS, 1900--. 2 f.b.

Petit jury venires and affidavits of witnesses in criminal cases; petitions for condemnation of highways, pleadings, and decrees of court. Arr. chron. No index. $10\frac{1}{2}$ x $4\frac{1}{2}$ x 13. Co. clk.'s vlt., 1st fl.

109. WITNESS AFFIDAVITS, 1885--. 9 v.

Records of affidavits of persons who served as witnesses in courts, showing name, date, type of action, and term of court. Arr. by case no. No index. Hdw. under pr. hdgs. 500 p. 16 x 10 x 1. 7 v., 1885-1913, strm., attic, 3rd fl.; 2 v., 1914--., co. clk.'s vlt., 1st fl.

110. RE: VILLAGES AND CITIES, 1930--. 1 f.b.
Petitions for fire protection, and for commission form of government, showing names of petitioners, dates, and court orders. Also contains bonds of city and village officials. Arr. chron. No index. $10\frac{1}{2} \times 4\frac{1}{2} \times 13$. Co. clk.'s vlt., 1st fl.
111. CEMETERY TRUSTEES, 1925--. 1 f.b. No prior records.
Papers of appointment of trustees of cemetery, with date of approval by county judge. Arr. chron. No index. $10\frac{1}{2} \times 4\frac{1}{2} \times 13$. Co. clk.'s vlt., 1st fl.
112. CERTIFICATES OF MORAL CHARACTER, 1930--. 1 f.b. 1878-1929
in Miscellaneous Papers, entry 66.
Applications for certificate of moral character, with names of applicants, proof, and order of county judge. Arr. chron. No index. $10\frac{1}{2} \times 4\frac{1}{2} \times 13$. Co. clk.'s vlt., 1st fl.
113. JUDGMENT BY CONFESSION, 1912--. 1 v. 1885-1911 in County
Court Record, entry 102.
Record of judgments by confession, showing names of parties and attorneys, amount of judgment, costs, and dates. Arr. chron. Indexed alph. by name of defendant. Hdw. under pr. hdgs. 480 p. $17\frac{1}{2} \times 11 \times 2$. Co. clk.'s vlt., 1st fl.

Dockets

Court Dockets

114. JUDGE'S DOCKET, 1885--. 2 v. (1, 2).
Docket of common law, criminal, dependent, and delinquent cases, including recognizance bonds, showing names of parties, kind of action, date, and court orders. Also contains Clerk's Docket, 1917--, entry 115, and Docket Feeble-minded, 1885-1915, entry 118. Arr. chron. No index. Hdw. under pr. hdgs. 600 p. $18 \times 12 \times 2$. Co. clk.'s vlt., 1st fl.
115. CLERK'S DOCKET, 1885-1916. 27 v. 1917-- in Judge's Docket,
entry 114.
Docket of criminal, probate, and common law cases, showing case number, kind of action, court term, names of parties, and court orders. Arr. chron. Indexed alph. by names of plaintiff and defendant. Hdw. under pr. hdgs. 300 p. $14 \times 10 \times 1$. 1 v., 1885-90, co. clk.'s vlt., 1st fl.; 26 v., 1891-1916, strm., attic, 3rd fl.
116. JUDGMENT AND EXECUTION DOCKET, 1885--. 2 v. (1, 2).
Docket of judgment and execution, showing names of parties, date and amount of judgment and costs, date of execution, amount of debt, damages and costs, to whom issued, date returned, how executed, and record of satisfaction. Arr. alph. by name of party against whom judgment is entered. No index. Hdw. under pr. hdgs. 430 p. $17\frac{1}{2} \times 11 \times 2$. Co. clk.'s vlt., 1st fl.

County Court - Fee Books;
Bonds; Reports to the Court

(117-122)

117. JUDGE'S DOCKET INSANITY, 1893--. 2 v. (1, 2).
Docket of insanity proceedings, with names of petitioner and person alleged insane, physician's report, and court action. Arr. chron. Indexed alph. by name of alleged insane person. Hdw. on pr. fm. 300 p. 18 x 12 x 1½. Co. clk.'s vlt., 1st fl.

118. DOCKET FEEBLE-MINDED, 1916--. 1 v. (1). 1885-1915 in Judge's Docket, entry 114.
Docket of proceedings in inquisitions of feeble-minded, showing name of alleged feeble-minded person, date of inquiry, and court order. Arr. chron. Indexed alph. by name of alleged feeble-minded person. Hdw. under pr. hdgs. 240 p. 18 x 12 x 1. Co. clk.'s vlt., 1st fl.

Justices' Dockets

119. JUSTICE OF THE PEACE DOCKET, 1857-1925. 10 v. Dockets subsequent to 1925 are in hands of justices.
Docket of justice of the peace trials, showing names of parties, kind of action and findings of justice; also record of chattel mortgages, showing names of mortgagor and mortgagee, amount and date of mortgagee, and description of property. Arr. chron. Indexed alph. by name of plaintiff. Hdw. under pr. hdgs. 460 p. 14 x 9 x 1½. 8 v., 1857-1905, strm., attic, 3rd fl.; 2 v., 1906-25, co. clk.'s vlt., 1st fl.

Fee Books

120. COMMON LAW AND CRIMINAL FEE BOOK, 1885--. 5 v. (1-5).
Title varies: Criminal Fee Book.
County clerk's record of fees in criminal and common law cases, showing date and type of action. Volume 1, 1885-91, contains criminal fees only; volumes 2-5, 1892--., contains both common law and criminal fees. Arr. chron. Indexed alph. by name of defendant. Hdw. on pr. fm. 540 p. 18 x 12 x 2. Co. clk.'s vlt., 1st fl.

Bonds

121. RECOGNIZANCE CASH BAIL COUNTY COURT, 1930. 1 v.
Bail bond record of cash deposit as bail, showing names of defendant and bailer, date and amount of bail, and time of appearance in court. Only one entry in this volume. Hdw. under pr. hdgs. 260 p. 16 x 11 x 1. Co. clk.'s vlt., 1st fl.

For other recognizance bonds, see entry 114.

Reports to the Court

122. MAGISTRATES' REPORTS TO COUNTY COURT, 1890--. 120 bdl.
Reports of the various county officials to the county court, showing date, name of official, and detailed report of his office; also proceedings of board of supervisors, and cancelled warrants. Arr. chron. No index. 2 x 3½ x 10. 15 bdl., 1890-1903, strm., attic, 3rd fl.; 105 bdl., 1904--., co. clk.'s vlt., 1st fl.

Pensions

(See also entries 3, 216.)

123. MOTHERS' PENSIONS, 1930--. 1 f.b.

File of applications for mothers' pensions, showing name of applicant, names and ages of dependent children, date of application, and court orders. Arr. alph. by name of applicant. No index. 10 $\frac{1}{2}$ x 4 $\frac{1}{2}$ x 13. Co. clk.'s vlt., 1st fl.

124. MOTHERS' PENSION DOCKET, 1929--. 1 v.

Docket of mothers' pensions, showing name of applicant, date of application, names and ages of dependents, and court orders. Arr. alph. by name of applicant. No index. Hdw. under pr. hdgs. 200 p. 14 x 11 x 1. Co. clk.'s vlt., 1st fl.

Naturalization

(See also entry 189.)

125. NATURALIZATION RECORD, 1892-1906. 1 v. Last naturalization case completed in county court in 1899.

Record of declaration of intention and application to become a citizen, showing names of alien and witnesses, oath, age, nationality, number of years in the United States and orders of court granting final papers. Arr. chron. Indexed alph. by name of alien. Hdw. on pr. fm. 440 p. 18 x 12 x 2. Co. clk.'s vlt., 1st fl.

V. PROBATE COURT

Probate courts in Cumberland County have original jurisdiction in all matters of probate, including the settlement of estates of deceased persons; the appointment of guardians and conservators and settlement of their accounts; matters relating to apprentices; proceedings by executors, administrators, guardians, and conservators, for sale of real estate; and proceedings for the collection of taxes on property in probate.¹ The jurisdiction has changed little since the organization of the county.

In Cumberland County a probate justice of the peace, elected for a quadrennial term,² first administered the probate court. Six years after the organization of the county in 1843, the jurisdiction of this court was transferred to the newly created county court,³ which has retained probate jurisdiction from that time, 1849, to the present day. Legislation subsequent to this date has required the county court to hold special terms for probate matters.

1. CONSTITUTION OF 1870, ART. VI, SEC. 20; R.S.1874, P. 339,340; L.1877, P. 80.

2. R.L.1837, P. 429.

3. CONSTITUTION OF 1848, ART. V, SEC. 16,18; L.1849, P. 64,65; R.S.1874, P. 339,340.

The early probate justice of the peace, 1843-1849, was required to perform the ministerial function of the probate clerk. With the creation of the county court in Cumberland County in 1849, until the present, the county clerk has served as ex-officio clerk of the probate court.

When a person, who has no relative or creditor within the state who will administer upon the deceased person's estate, dies possessed of any real estate, the Probate Court, upon application of any person interested in the estate, may commit the administration of the estate to the public administrator.¹ This officer, appointed quadrennially by the governor, is an officer of the probate court and performs his duties under the direction and orders of that court. His duties are the same as those prescribed for private administrators or executors, and his records are identical with theirs.

The major records of the probate court are:

1. Journal of all judicial proceedings and determinations of the judge.
2. A judgment docket with direct and indirect index, former by name of claimant against estate, latter by estate. In practice the requirement of two indexes often leads to two dockets.
3. Books for recordation of bonds and letters of administrators, executors, and guardians; appraisements and sale bills; widows' relinquishment and selection of property; wills and the probate thereof; annual and final reports of administrators, executors, and guardians. Generally each category of these probate business matters is recorded separately, but the segregation is not always carefully maintained.
4. Separate dockets of unsettled estates and claims against estates, and a ledger of the accounts of executors, administrators, and guardians. Note that the dockets of probate business matters are separated from dockets of court proceedings, just as are the books of recordation of the two categories; the intention of the law to make this distinction is further shown in its granting the clerk, during vacation of the court, power to receive petitions, accept bonds, grant letters testamentary, etc.
5. Files of original documents not subject to recordation; indexes of such; records of office transactions in pursuance of the court's orders to the clerk necessary in the latter's settlement with that body.²

1. L.1821, P. 119; R.L.1822, P. 215,231; R.L.1837, P. 429; R.S.1845, P. 427,428; L.1851, P. 193; L.1852, P. 92-94; R.S.1874, P. 260-65; L.1877, P. 63; L.1933, P. 293.

2. R.L.1833, P. 628; R.S.1845, P. 548; L.1871-72, P. 77.

Proceedings of Court

126. PROBATE CASES, 1885--. 122 f.b.

Original papers in cases of administration and executorship, showing names of estate, heirs, and minors, with date of filing of will; also reports and discharges of administrators. Arr. alph. by name of estate. No index. 10 $\frac{1}{2}$ x 4 $\frac{1}{2}$ x 13. Co. clk.'s vlt., 1st fl.

For other probate papers, see entry 71.

127. GUARDIANSHIP AND CONSERVATORSHIP CASES, 1885--. 70 f.b.

Files of papers in guardianship and conservatorship cases, showing dates, names of parties, kind of action, names of attorneys, court orders, and decrees. Arr. alph. by name of ward. No index. 10 $\frac{1}{2}$ x 4 $\frac{1}{2}$ x 13. Co. clk.'s vlt., 1st fl.

128. PROBATE JOURNAL (Record), 1885--. 10 v. (1-10).

Proceedings of probate court, showing date of court term, names of parties, kind of action, notation of bonds of guardians, executors, administrators, and conservators, and court orders. Also contains Sale of Real Estate, Decrees and Report, 1885-1932, entry 144. Arr. chron. Indexed alph. by names of estate, insane person, and delinquent. 1885-1921, hdw. on pr. fm.; 1922--, typed. 600 p. 18 x 12 x 2. Co. clk.'s vlt., 1st fl.

Probate Business

Wills, Bonds, Letters (See
also entries 165, 209.)

129. WILL RECORD, 1885--. 5 v. (1-5).

Record of wills, showing petition for probate, names of estate, heirs, legatees, and devisees, date of testator's death, and places of residence of all parties; also proof of will, issuance of letters testamentary, and appointment of guardian ad litem for minor heirs. Arr. chron. Indexed alph. by name of estate. Hdw. on pr. fm. 400 p. 18 x 12 x 1 $\frac{1}{2}$. Co. clk.'s vlt., 1st fl.

130. ADMINISTRATORS' RECORD, 1885--. 4 v. (1-4).

Record of administrators, showing court term, date, names of deceased and administrator, petition to declare deceased intestate, proof of death, presentation of bond, oath and letters of administrator, date and amount of bond, and names of sureties. Also contains Bond and Petition Sale Real Estate Record, 1885-1917, entry 143. Arr. chron. Indexed alph. by name of estate. Hdw. 600 p. 18 x 12 x 2. Co. clk.'s vlt., 1st fl.

131. ADMINISTRATORS' RECORD DE BONIS NON, 1885--. 1 v. (1).

Record of petitions, bonds, and letters of administrator de bonis non, showing names of estate and administrator, and date; also record of petitions, bonds, and letters of administration with will annexed. Arr. chron. Indexed alph. by name of estate. Hdw. on pr. fm. 786 p. 18 x 12 x 3. Co. clk.'s vlt., 1st fl.

132. ADMINISTRATORS' BONDS FOR SALE OF REAL ESTATE, 1895-1922. 1 v.
Discontinued.

Bond record of administrator, executor or guardian, showing date and amount of bond, names of sureties, date of approval, and filing date. Arr. chron. Indexed alph. by names of estate and ward. Hdw. on pr. fm. 296 p. 18 x 11 x 1 $\frac{1}{2}$. Co. clk.'s vlt., 1st fl.

For other records of administrators' bonds, see entry 143.

133. EXECUTOR RECORD, 1885--. 1 v. (1).

Record of executors' bonds, letters testamentary, oaths, and petitions, showing date, amount of bond, and names of estate and sureties. Arr. chron. Indexed alph. by name of estate. Hdw. on pr. fm. 640 p. 18 x 12 x 3. Co. clk.'s vlt., 1st fl.

134. GUARDIANS' RECORD, 1885--. 2 v. (1, 2).

Record of petitions, letters, oaths and bonds of guardians, showing names of petitioners and estate, dates, and court orders granting letters of guardianship. Arr. chron. Indexed alph. by name of estate. Hdw. on pr. fm. 600 p. 18 x 12 x 2. Co. clk.'s vlt., 1st fl.

135. CONSERVATORS' RECORD, 1885--. 2 v. (1, 2).

Copies of petitions for appointment of conservator, showing names of petitioner and conservator, conservator's oath and bond, with names of sureties, letters of conservatorship, and date. Arr. chron. Indexed alph. by name of estate. Hdw. on pr. fm. 600 p. 18 x 12 x 2. Co. clk.'s vlt., 1st fl.

136. CONSERVATORS-INSANITY RECORD, 1885--. 2 v. (1, 2).

Conservators' and insanity record, showing case number, names of alleged insane or incompetent, petitioners, jurors, and medical examiners, petitions for appointment of conservators, conservator's oath and bond, names of sureties, grant of letters, and court orders of commitment and discharge. Record consists of conservators' and insanity record, 1885-92; then becomes conservators' record only, 1893-96; 1897--, County Court Insanity Record is combined with it, entry 105. Arr. chron. Indexed alph. by name of estate. Hdw. on pr. fm. 600 p. 18 x 12 x 2. Co. clk.'s vlt., 1st fl.

137. TRUSTEES' RECORD, 1914. 1 v.

Record of petition for appointment of trustees of estates, showing bond and oath of trustee, and authorization of trusteeship; only one entry in book. No index. Hdw. on pr. fm. 300 p. 18 x 12 x 1 $\frac{1}{2}$. Strm., attic, 3rd fl.

Inventories and Appraisements (See
also entry 165.)

138. INVENTORY RECORD, 1885--. 5 v. (1, 2, 2-4).

Record of inventory of estates of deceased, showing value of real and personal property, and names of persons owing notes with amount due and interest. Arr. chron. Indexed alph. by name of estate. 1885-1923, hdw. on pr. fm.; 1924--, typed on pr. fm. 600 p. 18 x 12 x 3. Co. clk.'s vlt., 1st fl.

139. GUARDIANS' INVENTORY RECORD, 1885--. 1 v.
Copies of inventories of estates, real and personal property, made by guardian of minor heirs, showing assets and liabilities of estate. Arr. chron. Indexed alph. by name of estate. Hdw. on pr. fm. 600 p. 18 x 12 x 2. Co. clk.'s vlt., 1st fl.

140. APPRAISEMENT RECORD, 1885--. 4 v. (1-4).
Record of warrants to appraisers with appraiser's oath, showing estimate of value of property allowed to widow, and appraisement bill. Arr. chron. Indexed alph. by name of estate. 1885-1927, hdw. on pr. fm.; 1928--, typed. 600 p. 18 x 12 x 2. Co. clk.'s vlt., 1st fl.

Widows' Relinquishment and
Selection

141. WIDOWS' RELINQUISHMENT AND SELECTION RECORD, 1885--. 2 v. (1, 2).
Record of articles selected by widow, with her receipts to administrator. Arr. chron. Indexed alph. by name of estate. Hdw. on pr. fm. 600 p. 18 x 12 x 2. Co. clk.'s vlt., 1st fl.

Petitions, Decrees, Reports of
Sale (See also entry 165.)

142. SALE RECORD, 1884--. 3 v. (1-3).
Record of bills of sale of personal property, showing date and amount of sale, affidavit as to legality and notice of sale, and petition to sell at private sale, with sale bill. Arr. chron. Indexed alph. by name of estate. Hdw. on pr. fm. 600 p. 18 x 12 x 3. Co. clk.'s vlt., 1st fl.

143. BOND AND PETITION SALE REAL ESTATE RECORD, 1918--. 2 v. (1, 2).
1885-1917 in Administrators' Record, entry 130.
Record of petitions for sale of real estate with administrators' bonds, showing names of estate, administrator or petitioner, date, and court order. Arr. chron. Indexed alph. by name of estate. Hdw. on pr. fm. 600 p. 18 x 12 x 2. Co. clk.'s vlt., 1st fl.

144. SALE OF REAL ESTATE, DECREES AND REPORT, 1933--. 1 v. (1).
1885-1932 in Probate Journal (Record), entry 128.
Decree and report of sale record, showing petition to sell real estate to pay debts, order and report of sale, and court orders. Arr. chron. Indexed alph. by name of estate. Typed. 600 p. 18 x 12 x 2. Co. clk.'s vlt., 1st fl.

Reports, Current and Final Accounts

145. ADMINISTRATORS' REPORT RECORD, 1885--. 5 v. (1-5).
1880-84 in Miscellaneous Record, entry 65.
Record of administrators' reports to judge of probate court, showing receipts, and expenditures, recapitulations, and approval by judge. Also contains Account Current Estates, 1891--, entry 146. Arr. chron. Indexed alph. by name of estate. 1885-1920, hdw.; 1921--, typed. 600 p. 18 x 12 x 2. Co. clk.'s vlt., 1st fl.

146. ACCOUNT CURRENT ESTATES, 1885-90. 1 v.

1891-- in Administrators' Report Record, entry 145.

Ledger of administrators' accounts, showing itemized assets and liabilities of estate. Arr. chron. Indexed alph. by name of estate. Hdw. under pr. hdgs. 600 p. 18 x 12 x 2. Co. clk.'s vlt., 1st fl.

147. GUARDIANS' REPORT RECORD, 1886--. 5 v. (1-5).

Record of executors', guardians' and conservators' reports, showing items of receipts and expenditures, amount, and balance due. Also contains Accounts Current Guardians, 1886-1917, 1920--, entry 148. Arr. chron. Indexed alph. by name of estate. 1886-1919, hdw. under pr. hdgs.; 1920--, typed. 600 p. 18 x 12 x 2. Co. clk.'s vlt., 1st fl.

148. ACCOUNTS CURRENT GUARDIANS, 1918-19. 1 v.

1886-1917, 1920-- in Guardians' Report Record, entry 147.

Ledger of guardians' accounts, showing itemized receipts and expenditures, and dates. Arr. alph. by name of guardian. No index. Hdw. on pr. fm. 600 p. 18 x 12 x 2 $\frac{1}{2}$. Co. clk.'s vlt., 1st fl.

149. REPORT RECORD, 1886-1901. 1 v. Discontinued.

Record of reports of administrators, guardians and conservators, showing dates and court orders of approval. Arr. chron. Indexed alph. by name of estate. Hdw. 640 p. 18 x 12 x 3. Co. clk.'s vlt., 1st fl.

For similar records, see entries 145, 147.

Inheritance Taxes (See
also entry 217.)

150. INHERITANCE TAX DOCKET (Record), 1928--. 1 v. Prior records cannot be located.

Record and docket of inheritance taxes, showing names of estate and attorneys, case number, date of death, court proceedings, fees of clerk, appraisers, and witnesses, appraised value, exemption, taxable values, tax fixed, and names and relationship of heirs. Arr. chron. Indexed alph. by name of estate. Hdw. under pr. hdgs. 450 p. 18 x 14 x 2. Co. clk.'s vlt., 1st fl.

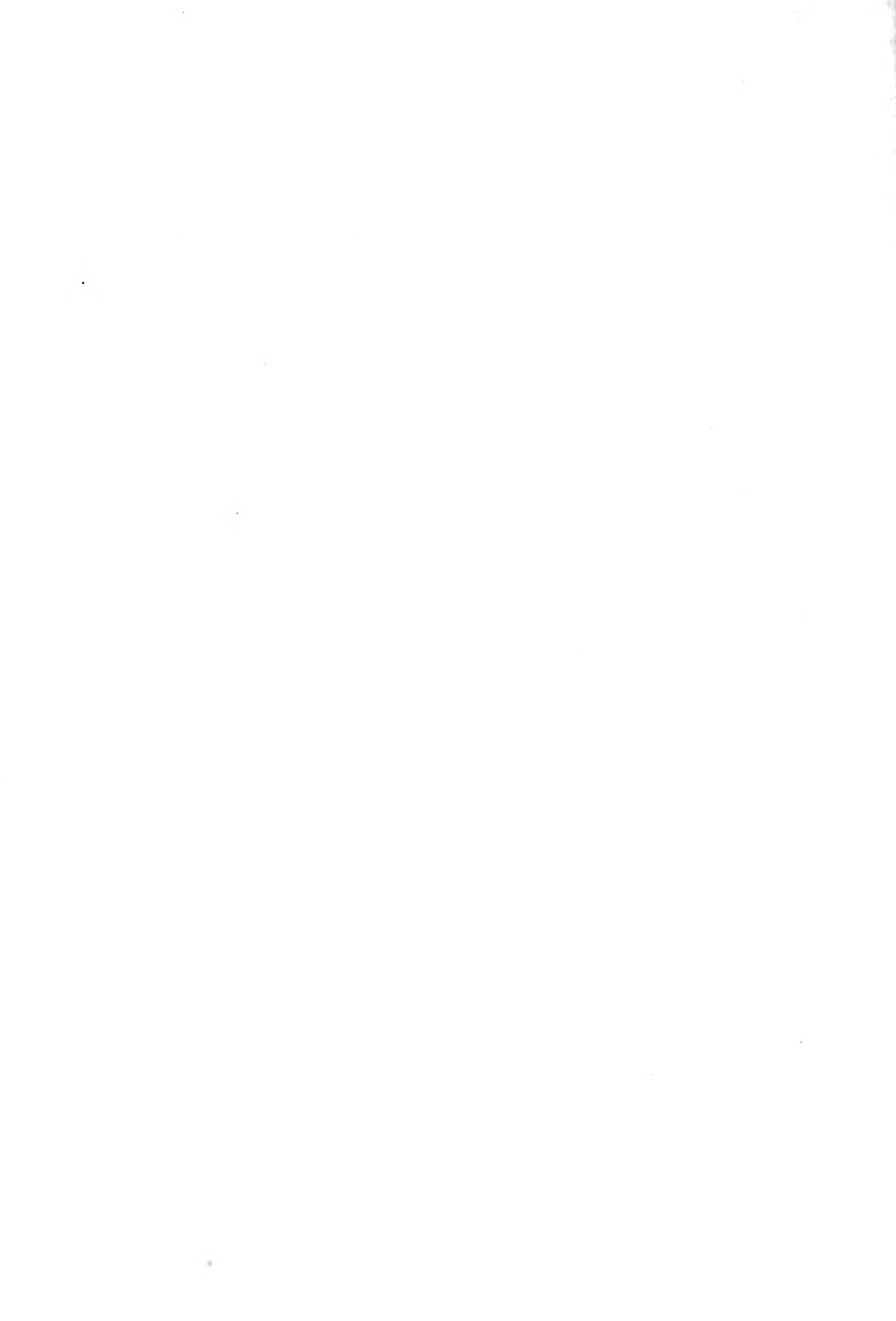
Dockets

Court Proceedings

151. JUDGE'S DOCKET, 1885--. 14 v. (3-14, 2 not numbered).

Missing: 1885-91.

Docket of probate cases in conservatorship, guardianship, administratorship, and executorship, showing names of parties to action, kind of action, date, and court orders. Arr. by case no. No index. Hdw. on pr. fm. 500 p. 14 x 11 x 2. V. 3-11, 1892-1915, strm., attic, 3rd fl.; v. 12-14, 2 not numbered, 1916--, co. clk.'s vlt., 1st fl.



152. PROBATE JUDGMENT DOCKET, 1885--. 5 v. (1-3, 2 not numbered). Docket of probate judgments, showing names of estate and claimant, with nature and amount of claim, memorandum as to summons and notices, amount of judgment, date, and record book and page of entry. Arr. by case no. Hdw. under pr. hdgs. 600 p. 18 x 12 x 2. Co. clk.'s vlt., 1st fl.

153. INDEX TO PROBATE JUDGMENT DOCKET, 1885--. 1 v. Probate judgment docket index with names of claimants and estate, showing docket and page number of entry. Arr. alph. by names of claimant and estate. Hdw. under pr. hdgs. 640 p. 18 x 12 x 3. Co. clk.'s vlt., 1st fl.

154. PROBATE ESTATE DOCKET, 1885-90. 1 v. Discontinued. Estate docket showing names of deceased, wards, insane persons, administrators, executors, guardians, conservators, widow, and heirs, date and amount of bond, date of inventory and sale bill, and amount of sale. Arr. by docket no. Indexed alph. by names of estate, ward, and insane person. Hdw. under pr. hdgs. 600 p. 18 x 12 x 2. Co. clk.'s vlt., 1st fl.

For similar records subsequent to 1890, see entries 145, 147.

Fee Books

155. ADMINISTRATORS' FEE BOOK, 1885--. 6 v. (1-6). Record of fees in administrators' or executors' cases, showing name of deceased, term of court, items of costs and receipts. Arr. chron. Indexed alph. by name of estate. Hdw. on pr. fm. 600 p. 18 x 12 x 2. Co. clk.'s vlt., 1st fl.

156. GUARDIANS' FEE BOOK, 1885--. 4 v. (1, 2, 4, 5). Record of fees of guardianship cases, showing items of costs assessed and receipts, with date and term of court. Arr. chron. Indexed alph. by name of minor. Hdw. on pr. fm. 600 p. 18 x 12 x 2. Co. clk.'s vlt., 1st fl.

157. INSANE AND CONSERVATORS' FEE BOOK, 1894--. 3 v. (A, 2, 3). Conservators' and insanity fee book, showing amount of fees charged by clerk for issuing letters of conservatorship, filing, recording, and entering order, inventory, current reports, final report, sale of real estate by conservator, and recording subpoenas and summons; also record of jury and witness fees for service in insanity trials. Arr. chron. Indexed alph. by name of alleged incompetent. Hdw. under pr. hdgs. 300 p. 18 x 12 x $1\frac{1}{2}$. Co. clk.'s vlt., 1st fl.

158. (PROBATE RECEIPTS AND EXPENDITURES), 1885--. In Receipts and Expenditures, County Clerk, entry 63. Register of probate fees and expenditures, showing date, from whom received, to whom paid, amount, and purpose.

Office Transactions

159. PROOF OF NOTICE, 1886—. 3 v. (1-3).

Record of affidavits of publication and posting of executors' and administrators' notices, and printer's certificate of publication. Arr. chron. Indexed alph. by name of estate. Hdw. on pr. fm. 292 p. 17 $\frac{1}{2}$ x 11 $\frac{1}{2}$ x 1 $\frac{1}{2}$. Co. clk.'s vlt., 1st fl.

VI. CIRCUIT COURT

The circuit court has original jurisdiction of all causes of law and equity, and acts as a court of appeals in probate matters and causes cognizable by the county court and justices of the peace.¹ In addition, it is one of the courts capable, according to Federal Statutes, of having naturalization jurisdiction.²

In Cumberland County, the judges serving the circuit were originally appointed by the General Assembly.³ This provision was only effective from 1843 to 1845; beginning with the latter year the justices of the supreme court held the circuit courts until 1848.⁴ The second constitution, 1848, greatly changed this judicial arrangement by dividing the state into nine judicial districts, in each of which a circuit judge was elected by the voters thereof.⁵ The Constitution of 1870 altered the circuit districts and established population requirements for counties that may comprise a circuit.⁶

Thus, in Cumberland County the circuit courts were held by an appointee of the General Assembly from the establishment of the county in 1843 until 1845, then from 1845 through 1848 by the justices of the supreme court, and finally, from 1849 to the present, by the circuit judge, an officer elected by the electorate of the fifth judicial district of five counties, of which Cumberland County is one.

1. CONSTITUTION OF 1870, ART. VI, SEC. 12.

2. U.S.S.1802, P. 153; U.S.R.S.1874, P. 378; U.S.S.1906, P. 596; U.S.S.1913, P. 737; U.S.S.1926, P. 709.

3. L.1835, P. 150; L.1841, P. 155.

4. R.S.1845, P. 143.

5. CONSTITUTION OF 1848, ART. V, SEC. 7.

6. CONSTITUTION OF 1870, ART. VI, SEC. 13.



The clerk of the circuit court was first appointed by the circuit court in Cumberland County.¹ He was required to keep and preserve complete record of all proceedings and determinations of the court of which he was clerk.²

The Constitution of 1848 made the clerk of the circuit court an elective officer of the county electorate with a four-year term.³

In effecting the court's orders, the clerk necessarily maintains non-statutory records in addition to the following which he keeps for the court:

1. Books of record of the proceedings and judgment of the court, with alphabetical indexes by parties. Proceedings are recorded at length only in cases designated by law, or when the court, at the motion and assumption of expense by one of the parties, so orders. In practice, the court record has been broken down from an early date into segregated types of proceedings and judgments.
2. "Plaintiff-Defendant Index to Court Record" and "Defendant-Plaintiff Index to Court Records." Intended to be separate records but frequently combined in a single volume with the two indexes segregated in each volume.
3. A general docket, in which all suits are entered in the order they are commenced.
4. A judgment and execution docket, containing a column for the entry of satisfaction or other disposition. In practice an execution docket is frequently set up independently.
5. Additional dockets, designated as the clerk's, judge's, and bar docket. In practice the bar docket has tended to drop out of use.⁴
6. A fee book, in which costs and fees are to be entered under the proper title of the case. In practice separate series of volumes are maintained under such titles of causes.
7. Transcripts of proceedings in appeals from justices' courts and foreign courts, dockets thereof, and transcripts of judgment for liens, etc., from the former.
8. Naturalization proceedings, from petitions to final certificates. Federal Statutes allow circuit court to exercise jurisdiction.

1. R.L. 1829; R.L. 1833, P. 152; R.S. 1845, P. 146, 147.

2. 1810.

3. CONSTITUTION OF 1840, ART. V, SEC. 29; CONSTITUTION OF 1870, ART. X, SEC. 8.

4. THE CIVIL PRACTICE ACT OF 1933 GRANTS AUTHORITY TO THE CIRCUIT COURTS, SUBJECT TO RULES PROMULGATED BY THE SUPREME COURT AND NOT INCONSISTENT WITH STATUTORY REQUIREMENTS, TO MAKE SUCH RULES AS THEY MAY DEEM EXPEDIENT, REGULATING DOCKETS AND CALENDARS OF SAID COURT. L. 1933, P. 705, SEC. 2.

9. Reports to the court from its designated masters in chancery, the state's attorney, and the coroner's inquest juries.
10. Jury venires, summonses, certificates, etc.
11. Original documents used in court hearings and determinations. These documents are of particular importance because in a large number of cases the complete proceedings are not spread upon court record.¹

Proceedings of Court

160. INDEX TO COURT RECORDS (Plaintiff-Defendant), 1885--.
4 v. (1, 2, plaintiff; 1, 2, defendant).
General index to proceedings in circuit court, showing names of parties, case number, date, court term, book and page of record. Arr. alph. by names of plaintiff and defendant. Hdw. under pr. hdgs. 600 p.
18 x 12 x 2. Cir. clk.'s vlt., 1st fl.
161. COMMON LAW CASES, 1885--. 63 f.b.
Files of common law cases, including subpoenas, summonses, complaints, probation papers, petitions, appeals, and court orders. Arr. by cases numbered 1-3715. No index. $10\frac{1}{2} \times 4\frac{1}{2} \times 13$. Cir. clk.'s vlt., 1st fl.
162. CHANCERY CASES, 1885--. 91 f.b.
Original papers in chancery cases, including disputes, divorce and partition proceedings, bank failures, and chancery claims. Included in these files are petitions for land titles. Arr. by cases numbered 1-2847. No index. $10\frac{1}{2} \times 4\frac{1}{2} \times 13$. Cir. clk.'s vlt., 1st fl.
163. PEOPLES' CASES (Criminal), 1885--. 19 f.b.
Original documents in criminal cases, including subpoenas, summonses, petitions, indictments, writs, and appeals. Arr. by cases numbered 1-1183. No index. $10\frac{1}{2} \times 4\frac{1}{2} \times 13$. Cir. clk.'s vlt., 1st fl.
164. CIRCUIT COURT RECORD, 1885--. 26 v. (1-6, 8-27).
Record of peoples', common law, and chancery cases, showing number of case, kind of action, names of parties to suit, court orders, and dates. Arr. by docket no. Indexed alph. by name of plaintiff; for sep. index, see entry 160. 1885-1926, hdw. under pr. hdgs.; 1927--, typed under pr. hdgs. 600 p. 18 x 12 x 2. Cir. clk.'s vlt., 1st fl.

1. R.S. 1845, P. 57, 323-26, 414, 418, 419, 518; L. 1865, P. 79, 80; L. 1871-72, P. 325; R.S. 1874, P. 262, 263, 285-87, 339; L. 1877, P. 77; L. 1895, P. 206, 210, 211, 217; L. 1933, P. 378-80; U.S.S. 1902, P. 153-55; U.S.R.S. 1874, P. 378-80; U.S.S. 1906, P. 597-607; U.S.S. 1926, P. 709, 710; U.S.S. 1929, P. 154, 155.

165. MISCELLANEOUS RECORDS, 1885--. 9 v. (1-9).

Miscellaneous records in circuit court, including affidavits, appeal and appearance bonds, stock transfers, articles of agreement, and special master in chancery reports of sale; also wills, inventories, letters testamentary, and decrees to sell real estate to pay debts, used as exhibits in chancery cases. Arr. chron. Indexed alph. by names of affiants, testators, and first parties. 1885-1922, hdw. on pr. fm.; 1923--, typed on pr. fm. 600 p. 18 x 12 x 3. Cir. clk.'s vlt., 1st fl.

166. CRIMINAL RECORD (Indictments and Jury Venires), 1886-97.

1 v. Discontinued.

Record of sheriff's return to court of the venire of grand and petit juries, with dates; also returns of grand jury of bills of indictment, showing date, name of defendant, and nature of offense. Arr. by docket no. No index. Hdw. 640 p. 18 x 12 x 3. Cir. clk.'s off., 1st fl.

167. JUDGMENT CONFESSION RECORD, 1894--. 4 v. (7-10).

Record of judgments by confession, showing names of parties, case number, date, amount of judgment, and court orders. Arr. chron. Indexed alph. by names of plaintiff and defendant. Hdw. on pr. fm. 600 p. 18 x 12 x 2. Cir. clk.'s vlt., 1st fl.

168. DEFAULT RECORD, 1886-1911. 1 v. 1912-- in Judge's Docket, entry 175.

Record of judgments by default, showing term, date, names of parties, and amount of judgment. Arr. chron. Indexed alph. by names of plaintiff and defendant. Hdw. on pr. fm. 600 p. 18 x 12 x 2. Cir. clk.'s vlt., 1st fl.

169. MECHANIC'S LIENS, 1887--. 2 f.b.

Papers in cases of mechanic's liens, showing date, names of parties, amount of lien, for what purpose claimed, and description of property. Arr. chron. No index. 10 $\frac{1}{2}$ x 4 $\frac{1}{2}$ x 13. Cir. clk.'s vlt., 1st fl.

170. ENTRY OF PETITIONS FOR LAND TITLES, 1885-1906. 1 v.

1907-- in Judge's Docket, entry 175.

Entry book for petitions for title to lands, showing case number, names of petitioners and defendants, date of filing and publication of land title notice, name of paper, and legal description of property. Arr. by docket no. Indexed alph. by name of defendant. Hdw. on pr. fm. 600 p. 18 x 12 x 2. Cir. clk.'s vlt., 1st fl.

For original land title petitions, see entry 162.

Transcripts
(See also entry 71.)

171. TRANSCRIPT RECORD, 1885--. 2 v. (1, 2).

Transcripts of proceedings before justice of the peace courts, showing names of parties, costs of plaintiff and defendant, constable's fees, copy of execution, date, amount, and court orders. Arr. chron. Indexed alph. by names of plaintiff and defendant. 1885-1921, hdw. on pr. fm.; 1922--, typed on pr. fm. 600 p. 18 x 12 x 2. Cir. clk.'s vlt., 1st fl.



172. MISCELLANEOUS PAPERS, 1886--. 11 f.b.
Transcripts of justice of the peace judgments, and executions thereon, showing names of parties, dates, and court orders. Arr. chron. No index. 10 $\frac{1}{2}$ x 4 $\frac{1}{2}$ x 13. Cir. clk.'s vlt., 1st fl.

Dockets.

173. GENERAL DOCKET, 1885--. 4 v. (1-4).
Docket of general cases before circuit court, showing date, term of court, kind of action, date started, and names of attorneys, and parties concerned. Arr. by docket no. No index. Hdw. under pr. hdgs. 600 p. 18 x 12 x 2. Cir. clk.'s vlt., 1st fl.

174. CLERK'S DOCKET, 1885--. 29 v.
Clerk's docket of court cases, showing number of case, kind of action, names of parties and attorneys, term of court, and court orders. Arr. by docket no. No index. Hdw. under pr. hdgs. 500 p. 14 x 8 $\frac{1}{2}$ x 2. 23 v., 1885-1915, str., attic, 3rd fl.; 6 v., 1916--., cir. clk.'s vlt., 1st fl.

175. JUDGE'S DOCKET, 1886--. 11 v. (1-8, 3 not numbered).
Docket of criminal, common law, and chancery cases, showing names of parties, kind of action, and court orders; also record of fines and recognizance bonds. Also contains Default Record, 1912--., entry 168; Entry of Petitions for Land Titles, 1907--., entry 170; and Bail Bond Record, 1921--., entry 188. Arr. by docket no. No index. 1886-1921, hdw.; 1922--., typed and hdw. under pr. hdgs. 700 p. 16 x 11 x 2. Cir. clk.'s vlt., 1st fl.

176. MECHANIC'S LIENS, LIEN AND SATISFACTION DOCKET, 1887--. 4 v. (1-4).
Docket of liens, showing name of party filing lien, date, amount, legal description of property, and disposition. Arr. by docket no. Indexed alph. by names of both parties. 1887-1933, hdw. under pr. hdgs.; 1934--., typed. 300 p. 18 x 12 x 1 $\frac{1}{2}$. Cir. clk.'s vlt., 1st fl.

177. JUDGMENT AND EXECUTION DOCKET, 1885--. 7 v. (1-7).
Docket of judgments and executions, showing names of parties, date, nature and amount of judgment, dates of execution and return, manner executed, book and page number of record, and satisfaction. Arr. alph. by name of party against whom judgment is entered. No index. Hdw. under pr. hdgs. 600 p. 18 x 12 x 2. Cir. clk.'s vlt., 1st fl.

178. MASTER'S RECORD, MASTER IN CHANCERY DOCKET, 1886--. 3 v. (1-3).
Docket of master in chancery cases, showing names of parties, term, abstract of suit, legal description of real estate, statement of posting notices, and making deed, report, and certificate of purchase fees. Arr. chron. Indexed alph. by name of complainant. Hdw. under pr. hdgs. 600 p. 18 x 12 x 2. Cir. clk.'s vlt., 1st fl.

For master in chancery special reports of sales, see entry 165.

Circuit Court - Fee Books;
Reports to the Court; Jury
Records

(179-185)

Fee Books

179. COMMON LAW FEE BOOK, 1886--. 8 v. (1-8).

Record of fees in common law cases, showing case number, names of parties, date, kind of action, amount of judgment, fees, and date of receipt. Also contains Fee Book, Judgment Confessed, 1900--, entry. 183. Arr. chron. Indexed alph. by names of plaintiff and defendant. Hdw. under pr. hdgs. 600 p. 18 x 13 x 2. Cir. clk.'s vlt., 1st fl.

180. CHANCERY FEE BOOK, 1886--. 7 v. (1, 3-8).

Fees of master in chancery cases, showing number of case, names of parties and clerk, costs of complainant and defendant, sheriff's and witnesses' fees, term date, and court orders. Arr. chron. Indexed alph. by names of plaintiff and defendant. Hdw. under pr. hdgs. 600 p. 18 x 12 x 2. Cir. clk.'s vlt., 1st fl.

181. CRIMINAL FEE BOOK, 1886--. 5 v. (1-5).

Record of fees in criminal cases, showing names of parties, kind of action, date, clerk's fees, witness fees, total costs received, and date of receipt. Arr. chron. Indexed alph. by name of defendant. Hdw. under pr. hdgs. 500 p. 18 x 12 x 2. Cir. clk.'s vlt., 1st fl.

182. TRANSCRIPT FEE BOOK, 1885--. 7 v. (1, 3-8).

Transcripts of fees from justice of the peace courts, showing description of fees, and date paid. Arr. chron. Indexed alph. by name of defendant. Hdw. under pr. hdgs. 600 p. 18 x 12 x 2. Cir. clk.'s vlt., 1st fl.

183. FEE BOOK, JUDGMENT CONFESSED, 1887-99. 1 v. 1900-- in
Common Law Fee Book, entry 179.

Record of fee bills on judgments confessed in vacation, showing items of costs, names of parties, and against whom assessed. Arr. chron. Indexed alph. by names of plaintiff and defendant. Hdw. under pr. hdgs. 500 p. 18 x 12 x 2. Cir. clk.'s vlt., 1st fl.

Reports to the Court

184. MASTER'S AND STATE'S ATTORNEY'S REPORTS, 1886--. 1 f.b.

Reports of masters in chancery, showing amounts handled and court orders; also state's attorney's reports of fees, fines, and forfeitures collected by him. Arr. chron. No index. 10 $\frac{1}{2}$ x 4 $\frac{1}{2}$ x 13. Cir. clk.'s vlt., 1st fl.

Jury Records

(See also entries 18, 108, 166.)

185. VENIRE OF GRAND AND PETIT JURY, 1886--. 1 f.b.

Grand and petit jury venires, showing names of persons chosen and date of court term. Also contains (Unclaimed Papers), entry 70. Arr. chron. No index. 10 $\frac{1}{2}$ x 4 $\frac{1}{2}$ x 13. Cir. clk.'s vlt., 1st fl.



Circuit Court - Bonds; Natural-
ization; Office Transactions

(186-190)

186. REGISTER OF PETIT JURORS AND GRAND JURORS, 1886--. 1 v.
Register of jurors, showing days of service, miles traveled, term of
court, date, and receipt for certificate. Arr. chron. No index.
Hdw. under pr. hdgs. 300 p. 16 $\frac{1}{2}$ x 14 x 1. Cir. clk.'s vlt., 1st fl.

187. JURORS' CERTIFICATES, 1886--. 6 v.
Stubs of jurors' certificates, showing date, term, days, mileage,
and amount allowed. Arr. chron. No index. Hdw. on pr. fm. 200 p.
16 $\frac{1}{2}$ x 13 x 1. 3 v., 1886-1908, strm., attic, 3rd fl.; 3 v., 1909--
cir. clk.'s vlt., 1st fl.

Bonds

188. BAIL BOND RECORD, 1917-20. 1 v. 1921-- in Judge's Docket,
entry 175.
Record of bail bonds and schedules, in justice of the peace and circuit
courts, showing name of person bonded, date and amount of bond; also
showing name of surety, if a cash bond, and a schedule or list of
property, if a property bond, and date of appearance in court. Arr.
chron. Indexed alph. by name of person giving bond. Hdw. 420 p.
18 x 12 x 1 $\frac{1}{2}$. Cir. clk.'s vlt., 1st fl.

Naturalization (See also entry 125.)

189. NATURALIZATION SERVICE, PETITION AND RECORD, 1920--. 1 v.
Last entry 1925.
Petitions for naturalization, showing affidavits of petitioner and
witnesses, oaths, and order of court admitting petitioner. Arr. by
petition no. Indexed alph. by name of petitioner. Hdw. on pr. fm.
300 p. 18 x 12 x 1 $\frac{1}{2}$. Cir. clk.'s vlt., 1st fl.

Office Transactions

Receipts and Expenditures

190. RECEIPTS AND EXPENDITURES RECORD (Annual and Semiannual),
1886--. 5 v. (1-5).
Annual and semiannual register of receipts and expenditures of circuit
clerk, showing date and amount of receipts and expenditures, including
refund on court cases, clerk hire, and salary. Also contains (Receipts
and Expenditures, Recorder), entry 100. Arr. chron. No index. Hdw.
under pr. hdgs. 654 p. 17 x 14 x 3. Cir. clk.'s vlt., 1st fl.



VII. PROBATION OFFICER

The office of probation officer for adult probationers was first established in Cumberland County in 1911. In accordance with the legislation of that year,¹ courts exercising criminal or quasi-criminal jurisdiction are given power to deal with adult or juvenile offenders of specified offenses. In the performance of his prescribed duties, the probation officer serves both the county and circuit courts, although appointed by the latter. He is required to give bond as determined by the circuit court in a sum not exceeding \$5,000.00, and is subject to the rules of and removal by the appointing court. Cumberland County has one probation officer under the legal allowance of one for each 50,000, or fraction thereof, of population.

The probation officer is compensated at a rate determined by the county board of supervisors. In the performance of his duties, he is required to: investigate cases of defendants requesting probation; notify the court of previous conviction or probation; make reports to the respective courts; keep a set of records as described below; and take charge of and watch over all persons placed on probation, and probationers moving from another county into his county.²

The reports made by the probation officer to the courts are kept by the clerk of the court trying the case. The courts' probation records include orders granting or refusing release on probation, probationers' bonds, the reports of probation officers noted above, and discharge of probationers.

The probation officer is required to keep complete and accurate records of investigated cases, including description of the investigated persons, the action of the court, and the subsequent history of probationers. These are private records, open to inspection only by a judge or by any probation officer pursuant to a court order, and may not be examined by the public.³ Consequently they were not surveyed by the current historical records study.

For circuit court probation papers, see entry 161.

1. L.1911, P. 280,281.

2. L.1911, P. 281,282; L.1915, P. 381,382.

3. L.1911, P. 277-84; L.1915, P. 378-84.

VIII. SHERIFF

The sheriff, by constitutional provision, has been an elected officer of the county electorate since Illinois was admitted to statehood.¹ The term of his office originally set at two years is now four years; bond in Cumberland County is required in the sum of \$10,000. One or more deputy sheriffs are appointed by the sheriff, in accordance with the number allowed by rule of the circuit court.²

Essentially without change for over one hundred years, the principal duties of the sheriff are:

1. Acting as conservator of peace, with power to arrest offenders on view.
2. Attending, in person or deputy, all courts of record (city, county, probate, circuit, and appellate courts) in his county, and obeying the orders and direction of the said courts.
3. Serving, executing, and returning all writs, warrants, processes, orders, and decrees legally directed to him.
4. Selling real or personal property by virtue of execution or other process.
5. Having the custody and care of the courthouse and jail of the county.³

Since 1931 the sheriff also has been required to send criminal fingerprints to the state bureau of criminal identification and investigation.⁴

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1. CONSTITUTION OF 1818, ART. III, SEC. 11; CONSTITUTION OF 1848, ART. VII, SEC. 7; CONSTITUTION OF 1870, ART. X, SEC. 8; SECOND AMENDMENT NOVEMBER 22, 1880, TO THE CONSTITUTION OF 1870, ART. X, SEC. 8; ALSO L. 1019, P. 110; R.S. 1074, P. 909.
 2. CONSTITUTION OF 1870, ART. X, SEC. 9; R.S. 1074, P. 990. COMPARE: R.L. 1027, P. 373.
 3. L. 1019, P. 111, 112, 160-62, 314-17, 332, 333; L. 1021, P. 37, 63, 64; R.L. 1027, PP. 247-311, 344, 372, 373; R.L. 1029, P. 121; L. 1031, P. 103, 104, 106; R.L. 1033, P. 574, 575; L. 1039, P. 10, 12-14; L. 1045, P. 10, 19; R.S. 1045, P. 133, 134, 515-17; R.S. 1074, P. 909-91; L. 1077, P. 69, 79; L. 1081, P. 64, 72; L. 1901, P. 136; L. 1905, P. 146; L. 1933, P. 458. THE CITATIONS INCLUDE ALSO REFERENCES TO DUTIES NOT INCLUDED IN THE GENERAL OUTLINE NOTED ABOVE.
 4. L. 1931, P. 464.

Sheriff - Process;
Jail Records

(191-193)

In the course of the sheriff's multiple detailed duties included in these broad provisions, the following records occur:

1. Data of identification, criminal and stolen property.
2. Calendar of commitments to jail.
3. Receipts of delivery of prisoner in changes of venue.
4. Docket of executions.
5. "Books of Accounts." Books include fees and disbursements, which are required of each county officer receiving fees.
6. Copies of reports to the county court and circuit court.¹

For sheriff's reports of receipts and expenditures to county board of supervisors, see entry 17.

Process

191. SHERIFF'S EXECUTION DOCKET, 1884--. 4 v. Missing: 1894-1918. Executions issued from circuit court, showing date and amount of judgment, dates of writ, and return, date received, court costs, and sheriff's return. Arr. by case no. Indexed alph. by name of plaintiff. Hdw. under pr. hdgs. 480 p. 15 $\frac{1}{2}$ x 10 $\frac{1}{2}$ x 2. 1 v., 1884-93, strm., attic, 3rd fl.; 3 v., 1919--, sh.'s off., 1st fl.

192. SHERIFF'S PROCESS DOCKET, 1886--. 8 v. (1, 1, 1 not numbered, 3, 4, 1 not numbered, 5, 1 not numbered). Missing: 1892-98. Sheriff's docket of process, issued from circuit and county courts, showing names of parties and attorneys, kind of action, dates received and returned, by whom served, and sheriff's fees. Arr. chron. Indexed alph. by name of plaintiff. Hdw. under pr. hdgs. 520 p. 15 $\frac{1}{2}$ x 10 $\frac{1}{2}$ x 1 $\frac{1}{2}$. V. 1, 1886-91, strm., attic, 3rd fl.; v. 1, 3-5, 3 not numbered, 1899--, sh.'s off., 1st fl.

Jail Records

193. JAILER'S RECORD, 1882--. 3 v. (A, 2 not lettered). Missing: 1895-1921. Record of prisoners, showing name, place of abode, time and cause of commitment, age, height, weight, color of hair and eyes, complexion, distinguishing marks, and time and manner of discharge. Arr. alph. by name of prisoner. No index. Hdw. on pr. fm. 320 p. 17 $\frac{1}{2}$ x 11 $\frac{1}{2}$ x 1. V. A, 1882-94, strm., attic, 3rd fl.; 2 v. not lettered, 1922--, sh.'s living room, 1st fl., county jail.

1. L.1019, P. 201,317; L.1021, P. 102; R.L.1027, P. 249,273; L.1045, P. 11; R.S.1045, P. 305; R.S.1074, P. 566,991,992,1096; L.1907, P. 316-19; L.1909, P. 301; L.1921, P. 500; L.1923, P. 424; L.1929, P. 649; L.1931, P. 465; L.1933, P. 107-90.

Fees, Receipts, Expenditures

194. SHERIFF'S RECEIPTS AND EXPENDITURES, 1873--. 2 v.

Register of fees received by sheriff semiannually, periods ending June 1st and November 30th, showing date, from whom received, title of cause, service, court costs, and commissions earned and received. Arr. chron. No index. Hdw. under pr. hdgs. 300 p. 16 $\frac{1}{2}$ x 14 x 1. 1873-98, strm., attic, 3rd fl.; 1899--, sh.'s off., 1st fl.

IX. CORONER

The office of coroner in Illinois counties was originally established by constitutional provision in 1818.¹ The Illinois laws require the coroner to act as a conservator of the peace, with powers equal to the sheriff's in that respect, serve as a ministerial officer of the courts in the absence or disqualification of the sheriff, and perform all the duties of the latter when the office is vacant.² In practice these duties are far less significant than the inquest function, the principal statutory duty of the coroner. Basically that procedure has hardly changed since a time antecedent to the formation of Cumberland County; the coroner when informed of a death resulting or appearing to have resulted from violence or casualty, summons a jury to inquire into the manner of death and its cause.³

To the custody of the clerk of the circuit court are returned the verdict of the jury, and such recognizances as may be given the coroner by witnesses whose testimony implicates any person as the unlawful slayer of the deceased.⁴ In his own office the coroner files and preserves the record of such testimony.⁵ Additionally the coroner keeps

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1. UNDER THE CONSTITUTION OF 1818, THE TENURE OF OFFICE WAS SET FOR TWO YEARS; THE TERM WAS EXTENDED UNDER THE CONSTITUTION OF 1870 TO FOUR YEARS. CONSTITUTION OF 1818, ART. III, SEC. 11; CONSTITUTION OF 1870, ART. X, SEC. 8.
 2. L.1819, P. 111,160; L.1821, P. 20-22; L.1825, P. 63,64; R.L.1827, P. 246-50,372,373,375; R.S.1845, P. 515-17; R.S.1874, P. 281,282. THE OFFICE IS CONSTITUTIONAL AND ELECTIVE (CONSTITUTION OF 1818, ART. III, SEC. 11; CONSTITUTION OF 1870, ART. X, SEC. 8) AND THE TERM, FORMERLY TWO YEARS, IS NOW FOUR YEARS (SECOND AMENDMENT, NOVEMBER 22, 1880, TO CONSTITUTION OF 1870, ART. X, SEC. 8).
 3. L.1821, P. 22-24; R.S.1845, P. 517,518; R.S.1874, P. 282-84; L.1879, P. 82; L.1907, P. 213; L.1919, P. 403; L.1931, P. 388.
 4. L.1821, P. 24,25; R.S.1845, P. 518; R.S.1874, P. 284,285.
 5. L.1821, P. 25; R.S.1845, P. 518; L.1862, P. 104; R.S.1874, P. 285; L.1907, P. 213; L.1919, P. 293.

one record which he himself originates, the "inquest record." This record recapitulates all the data involved in the entire inquest procedure and includes an inventory and accounting of the personal property and money of the deceased.¹

195. CORONER'S RECORD, 1899-1930, 1936--. 1 v. (2). 1931-35, no record kept.

Record of inquests, showing date, place, names of deceased, jurors, and witnesses, occupation, residence, testimony, verdict of jury, and coroner's disposition of effects. Arr. chron. Indexed alph. by name of deceased. Hdw. under pr. hdgs. 480 p. 18 x 12 x 2. Cor.'s off., 1st fl., Markwell's Undertaking Building.

196. INQUESTS, 1919--. 2 f.b.

Original papers in inquests, showing names of jurors, verdict, disposition of effects by coroner, and dates. Arr. by case no. No index. 10 $\frac{1}{2}$ x 4 $\frac{1}{2}$ x 13. Co. clk.'s vlt., 1st fl.

X. STATE'S ATTORNEY

The functions of the state's attorney's office were originally performed in Cumberland County by a circuit attorney who attended in each county of the judicial district and commenced and prosecuted in courts of record all actions in which the people of the state or any county within the judicial district were concerned.² The circuit attorney serving Cumberland County was first elected by the General Assembly.³ In 1849, six years after Cumberland was established, the state's attorney became an elected officer of the judicial district electorate.⁴ At this time his services were expanded to include the newly-created county court. Finally, the present Constitution of 1870 made the office an elective one in and for each county. The state's attorney is commissioned by the governor for a four-year term,⁵ and in Cumberland County, is compensated at the rate of \$1,375 annually, with an additional \$400 paid by the state.⁶

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1. L.1821, P. 26; L.1850, P. 104; R.S.1874, P. 285,286.
 2. L.1819, P. 178,204; R.L.1827, P. 79; R.L.1833, P. 98; R.S.1845, P. 76.
 3. L.1835, P. 44; R.S.1845, P. 76.
 4. CONSTITUTION OF 1848, ART. V, SEC. 21,28.
 5. CONSTITUTION OF 1870, ART. VI, SEC. 22; L.1871-72, P. 189; R.S.1874, P. 172.
 6. L.1871-72, P. 420; L.1873-74, P. 105; L.1909, P. 231; L.1911-12, P. 88; L.1927, P. 526; L.1929, P. 474; L.1933, P. 620; L.1937, P. 108,606.

Statutory fee rates are allowed for convictions on specified offences and crimes before justices of the peace, police magistrates, county and circuit courts. Also rates are established for preliminary examination of defendant, for attendance at trials, and for appeals.¹

The duties of the state's attorney are:

1. To commence and prosecute all actions, suits, indictments and prosecutions, civil or criminal, in any court of record in his county in which the people of the state or county may be concerned.
2. To prosecute all forfeited bonds and recognizances and all actions and proceedings for the recovery of debts, revenues, moneys, fines, penalties, and forfeitures accruing to the state or his county, or to any school district in his county; also to prosecute all suits in his county against railroads or transportation companies, which may be prosecuted in the name of the people of the State of Illinois.
3. To commence and prosecute all actions and proceedings brought up by any county officer in his official capacity.
4. To defend all actions and proceedings brought against his county, or against any county or state officer in his official capacity, in his county.
5. To attend the examination of all persons brought before any judge on habeas corpus, when the prosecution is in his county.
6. To attend before justices of the peace and prosecute charges of felony or misdemeanor for which the offender is required to be recognized and to appear before a court of record, when in his power to do so.
7. To give his opinion without fee or reward, to any county officer and to justices of the peace, in his county upon any question of law relating to any criminal or other matter, in which the people or the county may be concerned.
8. To assist the attorney general whenever it may be necessary, and in cases of appeal or writ of error, from his county to supreme court, to which it is the duty of the attorney general to attend, he shall, a reasonable time before the trial of such appeal or writ of error, furnish the attorney general with a brief, showing the nature of the case and the questions involved.

1. L.1871-72, P. 420; L.1873-74, P. 105; L.1902, P. 231.

9. To pay all moneys received by him in trust, without delay, to the officer who by law is entitled to the custody thereof.
10. To perform such other and further duties as may from time to time be enjoined on him by law.
11. To appear in all proceedings by collectors of taxes against delinquent taxpayers for the judgment to sell real estate, and see that all the necessary preliminary steps have been legally taken to make the judgment legal and binding.¹
12. To enforce the collection of all fines, forfeitures and penalties imposed or incurred in the courts of record in his county; and report on the collection of these moneys to the circuit court.²

For state's attorney's reports to the county board of receipts and expenditures, see entry 17; for reports to the circuit court of fees, fines, and forfeitures, see entry 184.

XI. SUPERVISOR OF ASSESSMENTS

The assessment function in Illinois counties has been controlled by various statutory provisions. Early laws fixed the value of the several categories of real and personal property, leaving to the assessing officer only limited discretion. Principally, the assessors annually revise the assessment of property and correct the same upon complaint and quadrennially assess real and personal property.

The original provision for assessments in Cumberland delegated this function to an assessor appointed by the county commissioners' court (the county board).³ However, two years after the formation of this county in 1845, the county treasurer became ex-officio county assessor and continued in this capacity until 1859.⁴ At that time, with the election of the township plan of county government, the assessment duties were transferred to the several township assessors.⁵ The township assessment officers have been responsible for the county assessments in their respective townships from the acceptance of this form of government until the present day. Between 1859

1. R.S.1845, P. 76; R.S.1874, P. 172.

2. L.1909, P. 342; L.1911-12, P. 88; L.1922, P. 474.

3. L.1839, P. 4.

4. L.1845, P. 5; L.1849, P. 127; L.1853, P. 46.

5. L.1853, P. 16,18,24; L.1855, P. 37; L.1871-72, P. 19,20.

and 1893 the elected township assessors received the assessment lists and forms from the county clerk and reported their assessments to the said clerk. Then from 1893 to 1898 the elected township boards of assessors made the assessment reports to the clerk. Finally, in 1898 the legislature created the ex-officio office of supervisor of assessments filled by the county treasurer.¹ From this date until the present day, the township assessment officers have been responsible to the county treasurer in this ex-officio capacity.

The records of this office are namely the original schedules of the different categories of assessed property upon which reports in other form are made to the county clerk. Provision is made in only a few cases for the permanent custody of these records in this office.²

For other taxation records, see entries 19-35, 198-204.

197. RAILROAD SCHEDULES, 1922-- . 3 f.b.

List of assessed railroad property in Cumberland County, with date, valuation, and name of railroad. Arr. chron. No index. 10 x 4 $\frac{1}{2}$ x 13. Co. clk.'s vlt., 1st fl.

XII. BOARD OF REVIEW

The duties of the board of review are essentially to assess, equalize, review or revise the assessment of property. The function of the board of review prior to 1898 was performed by the county board of supervisors and town boards of review. Early legislation provided for appeals from assessments to the county board.³ The board was granted power to review and revise assessment of real and personal property.

The legislation in 1871 provided that town boards could annually revise the assessment of towns. The county board was to meet annually to:

1. Assess omitted property.
2. Review assessments upon complaint.
3. Hear and determine the application of any person assessed on property claimed to be exempt from taxation.

1. L.1893, P. 73, 74; L.1898, P. 37; L.1903, P. 295,296; L.1923, P. 492; L.1932, P. 66.

2. L.1872, P. 16; L.1898, P. 50; L.1915, P. 568.

3. APPEALS WERE MADE TO THE COUNTY COMMISSIONERS' COURT; L.1839, P. 7; L.1843, P. 239; L.1845, P. 8; R.S.1845, P. 441. THEN FROM 1849 TO 1861 TO THE COUNTY COURT; AND FROM 1861 TO 1898; THE APPEALS WERE TO THE COUNTY BOARD OF SUPERVISORS; L.1849, P. 207,208; L.1871, P. 22.

4. Ascertain whether the valuations in one town or district bear just relation to all the towns or districts in the county.¹

In 1898 this authority was transferred to the newly-created board of review.² The board of review was composed of the chairman of the county board of supervisors who was ex-officio chairman of the board of review, the county clerk, and a citizen appointed by the judge.³ Since 1923 the board has consisted of the chairman of the county board as ex-officio chairman of the board of review, and two citizens appointed by the county judge. The members of the board select their own clerk.⁴ The two citizen members of the board are appointed alternately for a two-year term. The board may reduce or increase the entire assessment of property.

For other taxation records, see entries 19-35, 197, 202-204.

198. RAILROAD OBJECTION TO ASSESSMENTS, 1885--. 4 f.b. Objections entered by the various railroads operating in Cumberland County, to the amount of taxes assessed against railroad property, showing date, and order of court relative to objections. Arr. chron. No index. $10\frac{1}{2} \times 4\frac{1}{2} \times 13$. Co. clk.'s vlt., 1st fl.

199. TAX OBJECTIONS, 1914--. 1 f.b. No prior records. Objections to tax assessments, and findings of court, with names of persons assessed, amounts, and dates of hearings. Arr. chron. No index. $10\frac{1}{2} \times 4\frac{1}{2} \times 13$. Co. clk.'s vlt., 1st fl.

200. BOARD OF REVIEW (Proceedings), 1899--. 2 v. (1, 2). Proceedings of board of review with date of meetings, roll call, minutes, notices to parties to appear before board to file schedule, and action taken by board. Also used as Complaint Docket, 1914--, entry 201. Arr. chron. No index. Hdw. 660 p. $18 \times 12 \times 2$. Co. clk.'s vlt., 1st fl.

201. COMPLAINT DOCKET, 1899-1913. 3 v. (1 not numbered, 1, 2). 1914-- in Board of Review (Proceedings), entry 200. Docket of complaints, showing number of complaint, date presented, name of complainant, description of assessed value, value and cause of complaint as alleged by complainant, and findings and orders of board of review. Arr. chron. 1899-1907, no index; 1908-13, indexed alph. by name of complainant. Hdw. 300 p., 320 p.; $17 \times 11 \times 1$, $18 \times 12 \times 1\frac{1}{2}$. 1 v. not numbered, 1899-1907, co. clk.'s vlt., 1st fl.; v. 1, 2, 1908-13, treas.'s off., 1st fl.

1. L.1871, p. 23.

2. L.1898, p. 54; L.1923, p. 496; L.1932, p. 75.

3. L.1898, p. 54.

4. L.1923, p. 496, 497.

XIII. COUNTY COLLECTOR

The principal function of this office is the collection of state, county, and other public corporation taxes as provided by law. The books used by the collector in effecting this procedure are prepared by the county clerk on the basis of the assessment of property and the levy of taxes. The collector reports to the county clerk on the payment of taxes and the failure thereof, and annually settles with the county board of supervisors.

The collection duties were originally performed in Cumberland County by the sheriff who was ex-officio collector of taxes.¹ With the acceptance of the township form of government in 1859 the county treasurer became ex-officio collector of taxes.² Under this plan, town collectors, elected in each township, were required to make collection of resident property taxes and deliver their books to the county collector, who returned them to the county clerk.³ The county collector, however, was charged with the collection of the non-resident property taxes.⁴ The provision for the return of the collectors' books to the county clerk was changed in 1871, when the legislature provided for the county collector to annually make a sworn statement to the county clerk, showing the total amount collected by him from each kind of tax; the amount received from each town collector; and the amount collected by himself.⁵

In 1917 the office of town collector was abolished in counties of the size of Cumberland and the county collector became ex-officio town collector for each of the townships in his county. As such, the county collector is required to perform all the duties assigned to town collectors under existing statutory requirements.⁶

The collector annually prepares a delinquent property list and files the same with the county clerk. He also advertises his intention of applying for judgment for sale of delinquent lands and lots and is required to attend in person or by deputy all tax sales resulting therefrom. The

1. L.1843, P. 234; R.S.1845, P. 8; L.1853, P. 99.

2. L.1853, P. 14.

3. L.1855, P. 37.

4. L.1853, P. 69,70.

5. L.1871-72, P. 56,57; L.1881, P. 181.

6. L.1917, P. 792; L.1925, P. 605; L.1929, P. 774; L.1931, P. 905; L.1933, P. 1115.

county clerk, in person or by deputy, is also required to attend all tax sales. At such tax sales the clerk and collector are to note and make entry of all tax sales and forfeitures to the state.

To recapitulate, under statutory provisions, the county collector collects taxes for the state, county and other governmental agencies, reports on the collection and failure thereof to the county clerk, settles annually with the county board, and pays to the proper authorities the amount in his hands payable to them, and attends all tax sales in person or by deputy.¹

The county collector is required by statute to keep his records as collector of taxes separate from his records as county treasurer.² The records of the collector's office include duplicates of receipts issued to taxpayers, state auditor's and county clerk's certificates of the collector's settlement with them, duplicates of the collector's reports, delinquent property records, tax sale and forfeiture records.

For other taxation records, see entries 17-35, 197-201.

202. COUNTY TREASURER IN ACCOUNT WITH TOWNSHIP OFFICERS, 1885--.
10 v. (1-10).

County collector's accounts of settlement with township officers, showing names of collector and township, type, amount, and spread of tax, total, and receipt of township collector. Arr. alph. by name of twp. No index. Hdw. under pr. hdgs. 600 p. 18 x 12 x 2. Treas.'s off., 1st fl.

203. COLLECTORS' STATEMENTS OF DELINQUENT TAXES ON LAND, TOWN LOTS
AND PERSONAL PROPERTY, 1885-1917. 32 v. Discontinued.

Statement by township collectors of delinquent taxes on land, lots, personal property, and special assessments, with interest and costs, showing name of owner, description of property, and amount of taxes. Arr. alph. by name of twp. No index. Hdw. under pr. hdgs. 300 p. 16 x 14 x 1. Strm., attic, 3rd fl.

For other records of delinquent property, see entry 30.

204. STATEMENT OF ACCOUNT OF COUNTY COLLECTOR, 1894-1901. 1 v.
1902-- in Supervisors' Record, entry 2.

Statement of county collector's account, showing delinquent school tax for county school districts, and village tax, with amount to be accounted for. Arr. alph. by name of twp. No index. Hdw. on pr. fm. 380 p. 13½ x 8½ x 1. Strm., attic, 3rd fl.

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1. L.1819, P. 317; R.L.1827, P. 373; L.1839, P. 8-12; L.1840, P. 3; L.1845, P. 9,11; L.1853, P. 66,77,111; L.1871-72, P. 32; L.1873-74, P. 51; L.1911, P. 405; L.1917, P. 664; L.1919, P. 765; L.1930, SP. SESS., P. 59; L.1931, P. 747; L.1933, P. 930; R.L.1935, P. 1149.
 2. L.1917, P. 664; L.1930, SP. SESS., P. 59; R.S.1935, P. 1149.

XIV. COUNTY TREASURER

The county treasurer in Cumberland has been an elected officer from the formation of the county to the present day. The office was originally established under statutory provision, and became constitutional in 1870. The tenure of office is set for four years.¹ The treasurer's bond was first \$2000, but beginning in 1927, the county board of supervisors has authority to set the penal sum.²

In the performance of his duties, the county treasurer receives the county revenue, keeps custody of its funds, and disburses them in accordance with orders of the county board of supervisors or specific authorization of law. He is required to keep books of accounts of all funds received and disbursed by him, maintain a register of county orders countersigned and paid, report annually to the county board on the financial transaction of his office, and settle his accounts with the board semi-annually.³ The last two requirements give rise to a number of segregated records of accounts beyond strict statutory requirements. In addition, reports are made to the treasurer by other county authorities in the process of transacting business with him, and finally a large number of records arise from the requirements for collectors of taxes to settle their accounts with the treasurer.⁴

Receipts and Disbursements

Registers and Ledgers

205. (TREASURER'S RECEIPTS FROM ALL SOURCES), 1886--. 2 v. Record of money received from all sources, state or individual, showing date, amount, and from whom received. Arr. chron. No index. 1886-97, hdw. on pr. fm.; 1898--, hdw. under pr. hdgs. 500 p., 320 p.; 18 x 12 x 1½, 14 x 8½ x 1. 1 v., 1886-97, str., attic, 3rd fl.; 1 v., 1898--, treas.'s off., 1st fl.

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1. OFFICE MADE ELECTIVE WITH FOUR-YEAR TERM, R.L.1837, P. 274; TERM REDUCED TO TWO YEARS, L.1845, P. 28; OFFICE MADE CONSTITUTIONAL WITHOUT CHANGE OF TERM, CONSTITUTION OF 1870, ART. X, SEC. 8; TERM LENGTHENED TO FOUR YEARS, SECOND AMENDMENT (RATIFIED NOVEMBER 22, 1880) TO CONSTITUTION OF 1870, ART. X, SEC. 3.
 2. L.1819, P. 318; R.L.1827, P. 329; R.S.1874, P. 323. THE BOND IS REQUIRED TO BE FILED IN THE OFFICE OF THE COUNTY CLERK.
 3. L.1819, P. 318; R.L.1837, P. 502, 583; L.1843, P. 151; R.S.1845, P. 136, 138, 139; L.1861, P. 239, 240; R.S.1874, P. 323, 324.
 4. L.1819, P. 317; L.1821, P. 183; R.L.1827, P. 333; L.1839, P. 8-10; L.1845, P. 11; L.1885, P. 142-47; L.1895, P. 304; L.1913, P. 516; L.1933, P. 898.

County Treasurer - Special
Accounts

(206-211)

206. TREASURER'S ACCOUNTS WITH CUMBERLAND COUNTY, 1894--. 1 v.
Treasurer's accounts with county of receipts and disbursements, showing
dates, from whom received and to whom disbursed, on what account, county
tax, all other sources of revenue, and total receipts and items of credits.
Also contains Treasurer's Accounts with County Banks, 1924--, entry 207.
Arr. chron. No index. Hdw. 320 p. 17 x 11 x $1\frac{1}{2}$. Treas.'s off., 1st fl.

207. TREASURER'S ACCOUNT WITH COUNTY BANKS, 1884-1923. 1 v.
1924-- in Treasurer's Accounts with Cumberland County,
entry 206.
Record of deposit made in county banks, including tax receipts, showing
date and amount of deposits, with dates, amounts, and purpose of checks
issued. Arr. chron. Indexed alph. by names of individual and bank.
Hdw. under pr. hdgs. 320 p. 17 x $11\frac{1}{2}$ x 1. Strm., attic, 3rd fl.

Special Accounts

School (See also
entries 220-225.)

208. INSTITUTE FUND RECORD, 1885--. 2 v.
Record of funds received by treasurer from county superintendent of
schools, showing from what sources received, date, and amounts. Arr.
chron. No index. Hdw. under pr. hdgs. 130 p. $15\frac{1}{2}$ x $10\frac{1}{2}$ x $\frac{1}{2}$. Treas.'s
off., 1st fl.

Probate

209. HEIRSHIP FUND RECORD, 1902--. 1 v.
Heirship funds record showing names of estate and administrator, orders
of court authorizing treasurer to receive and hold in trust money due
either unknown heirs or heirs not located, amounts turned over, and
dates. Arr. chron. No index. Hdw. 300 p. 18 x 12 x $1\frac{1}{2}$. Treas.'s off.,
1st fl.

Highway (See also
entries 7-9, 233-241.)

210. COUNTY MOTOR FUEL TAX ALLOTMENT RECORD, 1931--. 1 v.
Record of motor fuel tax allotment, showing date, estimated cost, state-
aid route, section, receipt, and claim numbers, amounts received and
disbursed, and balance available. Arr. chron. No index. Hdw. under
pr. hdgs. 400 p. 11 x 12 x 2. Treas.'s off., 1st fl.

211. COUNTY HIGHWAY WARRANT REGISTER, 1933--. 1 v. (CH 10).
Register of motor fuel tax warrants, showing date, warrant number, to
whom issued and purpose, total warrants, and date cancelled by bank.
Arr. chron. No index. Hdw. under pr. hdgs. 10 p. 14 x 12 x $\frac{1}{2}$.
Treas.'s off., 1st fl.



County Treasurer - Special
Accounts

(212-217)

212. HIGHWAY FUNDS RECEIVED, 1936--. 1 v. (CH 9).
County treasurer's register of highway funds received and deposited in motor fuel tax fund; also register of deposits in "15 D refund fund." Arr. chron. No index. Hdw. under pr. hdgs. 100 p. 17 x 11 x $\frac{1}{2}$.
Treas.'s off., 1st fl.

213. HARD ROAD RECORD, 1919-22. 1 v. Discontinued. All bonds redeemed.
Account of road bonds and coupons cancelled, with dates, showing bonds deposited, and checks received and cancelled, Arr. by bond no. No index. Hdw. under pr. hdgs. 130 p. 15 $\frac{1}{2}$ x 10 $\frac{1}{2}$ x $\frac{1}{2}$.
Treas.'s off., 1st fl.

Dog Licenses

214. DOG LICENSE FUND RECORD, 1920--. 1 v. (1). Prior records cannot be located.
Record of funds received from sale of dog licenses, showing from whom and amount received, and orders of board of supervisors for sheep claims to be paid from this fund. Arr. chron. No index. Hdw. under pr. hdgs. 320 p. 16 x 10 $\frac{1}{2}$ x 2. Treas.'s off., 1st fl.

Pension Funds (See also
entries 3, 13, 123, 124.)

215. (RECORD OF RECEIPTS FROM STATE FOR BLIND PENSION), 1915--. 1 v. Prior records cannot be located.
Record of receipts from state for blind pension fund, showing date, and amount received. Arr. chron. No index. Hdw. under pr. hdgs. 320 p. 18 x 12 x 1 $\frac{1}{2}$. Treas.'s off., 1st fl.

216. (RECORD OF RECEIPTS FROM STATE FOR MOTHERS' PENSIONS), 1929--. 1 v. Prior records destroyed.
Record of receipts from state for mothers' pension fund, showing date, and amount received. Arr. chron. No index. Hdw. under pr. hdgs. 320 p. 18 x 12 x 1 $\frac{1}{2}$. Treas.'s off., 1st fl.

Inheritance Tax (See
also entry 150.)

217. INHERITANCE TAX FILES, 1935--. 1 f.b.
Orders fixing amount of tax, showing date, notice of waiver of notice, whether minor or incompetent to act in legal matters, names of beneficiaries, description of property, and receipt by county and state treasurer. Arr. alph. by name of estate. No index. 3 x 18 x 18. Treas.'s off., 1st fl.

County Orders
(See also entries 3-12, 122.)

218. (WARRANTS COUNTERSIGNED), 1886--. 130 bdl.
Warrants countersigned for all money paid out by county treasurer, showing date, amount, to whom paid, purpose, and date countersigned by county treasurer. Arr. chron. No index. 3 x 4 x 8. 47 bdl., 1866-1903, strm., attic, 3rd fl.; 83 bdl., 1904--, co. clk.'s vlt., 1st fl.

Reports
(See also entries 2, 16.)

219. REPORT OF HIGHWAY FUNDS, 1936--. 1 v. (CH 19).
Record of monthly reports of county treasurer to county board on condition of highway funds, showing deposits, warrants cancelled during month, and balance in fund. Arr. chron. No index. Hdw. under pr. hdgs. 160 p. 8 $\frac{1}{2}$ x 11 x $\frac{1}{2}$. Treas.'s off., 1st fl.

XV. COUNTY SUPERINTENDENT OF SCHOOLS

The superintendent of schools is a statutory officer, elected for a term of four years.¹ His principal duties are:

1. Selling township fund lands and issuing certificates therefor.
2. Examining the complete accounts of every township treasurer in his county and reporting irregularities of the township trustees.
3. Conducting a teachers' institute, holding quarterly examinations for teachers' certificates, and issuing such.
4. Holding examinations for normal and university scholarships.
5. Visiting the public schools in the county, observing methods of instruction, making recommendations to teachers, advising school officers; observing sanitary and safety conditions, notifying trustees and state

1. L.1872, P. 702; L.1909, P. 342; L.1915, P. 628; L.1923, P. 596.
TERM FORMERLY RAN TWO YEARS. R.S.1845, P. 497.

authorities of unsatisfactory conditions; inspecting plans and specifications, and approving those meeting state regulations.¹

The office of superintendent of schools was originally filled by the county school commissioner. Later the office of superintendent became an independent office and the functions of the former school commissioner were fulfilled by the new officer. More accurately it may be said that the origin of the office of superintendent of schools was the establishment of the office of county school commissioner.

The office of county school commissioner was created in 1829. The principal duties of this officer centered around the sale of school lands.² His reports to the county commissioners' court (county board), of the sale of school lands, were recorded in the said court in a well-bound book kept for that purpose.³ He also reported on his other transactions and on the school fund.⁴

In 1845, two years after the formation of Cumberland County, the county school commissioner became ex-officio county superintendent of schools. The county school commissioner became an elected officer in 1847, with a term of two years.⁵

In 1872 the office of county superintendent of schools was established as an independent office, the term to be four years, and had delegated to it the authority formerly vested in the county school commissioner.⁶

The superintendent is required to keep the following records: three books denoted as A, B, and C, containing respectively petitions for the sale of school lands, records of sales of such, and accounts of all moneys received and paid out; files of township treasurers' bonds and trustees' reports to him, files of poll books and returns of school district elections; maps of school district boundaries; registers of certificates granted and teachers employed in the county.⁷ In addition he is required to make annual reports to the state superintendent of schools on such matters as the latter may designate, quarterly reports

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1. R.S.1845, P. 498; L.1847, P. 122; L.1849, P. 156; L.1909, P. 343-52; L.1915, P. 635.
 2. R.L.1829, P. 150,151.
 3. R.L.1829, P. 152,153.
 4. L.1831, P. 175.
 5. L.1845, P. 54; L.1847, P. 120.
 6. L.1871-72, P. 702; L.1909, P. 342; L.1923, P. 596.
 7. R.S.1845, P. 496; L.1847, P. 121; L.1849, P. 155; L.1053, P. 55; L.1009, P. 265; L.1909, P. 349,350; L.1919, P. 387.

County Superintendent of
Schools - Accounts of
School Funds

(220-223)

to the county board on his visits to schools, and annual reports to the county board on the receipts and expenditures of his office. Copies of these are sometimes found among his records, along with vouchers, special statements concerning the institute and other segregated funds, and similar current papers.¹

Accounts of School Funds
(See also entry 208.)

220. ILLINOIS STATE TEACHERS' PENSION AND RETIREMENT FUND, 1916--.

1 f.b. Prior records destroyed.

Reports of county superintendent of schools to board of trustees, showing date, district number, name of teacher, compulsory or elective contribution, number of months taught during year, number of years taught in Illinois and in other states, and amount withheld for pension fund, and monthly and yearly salary. Arr. chron. No index. 3 x 5 x 13. Off. of supt. of sch., 2nd fl.

221. INSTITUTE FUND RECORD, 1919--. 1 v., 1 f.b.

Records of institute funds, showing date, application number, applicant's name, address, and fee for issuing certificate renewal, or registration, certification by superintendent of schools, and receipt by county treasurer. Subsequent to 1930 kept in unbound form. Arr. chron. No index. Hdw. under pr. hdgs. V. 200 p. 17 x 11 x 1, f.b. 18 $\frac{1}{2}$ x 12 x 16. Off. of supt. of sch., 2nd fl.

222. NON-HIGH-SCHOOL FUND RECORD, 1921--. 2 v.

Transcripts of minutes of meetings of non-high-school board of education, showing members present, bills presented and allowed, and all minutes and proceedings of board, and date. Arr. chron. No index. Typed. 300 p. 14 x 10 x 1 $\frac{1}{8}$. Off. of supt. of sch., 2nd fl.

223. CLAIM FOR STATE-AID RECORD, 1921--. 2 v.

Record of claims for state-aid, showing date, amount, and by what school district claimed; also a record of state distributive funds, showing date and amount received, and date, amount, and to whom distributed. Arr. chron. No index. 1921-32, hdw.; 1933--, typed. 200 p. 11 x 14 x 1 $\frac{1}{8}$. Off. of supt. of sch., 2nd fl.

1. R.S.1845, P. 500,501; L.1847, P. 122; L.1849, P. 156; L.1855, P. 57; L.1871-72, P. 705; L.1889, P. 265,325; L.1209, P. 347,350.

County Superintendent of
Schools - Teachers' Records;
Pupil Records

(224-228)

224. BUDGET RECORD, 1923--. 2 v.

Budget record showing district number, amount of budget, amounts withheld, distributed, released, returned to school fund, and sent to township treasurer. Arr. chron. No index. Hdw. under pr. hdgs. 400 p. 12 x 14 x 2. Off. of supt. of sch., 2nd fl.

225. COUNTY SUPERINTENDENT'S EXAMINATION BOOK, 1886-91. 1 v.

Discontinued.

Superintendent's examination of financial condition of school funds in the various school townships, showing number of district, date, receipts, amount and expenditures from month to month, and total amount. Arr. by twp., and range. No index. Hdw. under pr. hdgs. Binding poor. 68 p. 13 x 10 x $\frac{1}{2}$. Off. of supt. of sch., 2nd fl.

Subsequent records incorporated in the superintendent's reports to the county board, entry 2.

Teachers' Records

226. TEACHERS' PERMANENT RECORD, 1914--. 3 v.

Superintendent's permanent record of teachers, showing name of teacher, school attended, length of attendance, credits, degrees, date of birth, kind of certificate, date issued, how and where, date began teaching in Illinois and other teaching experience, home address, and compulsory or elective contribution to teachers' pension fund. Arr. alph. by name of teacher. No index. Hdw. on pr. fm. 394 p. 11 $\frac{1}{2}$ x 15 x 2. Off. of supt. of sch., 2nd fl.

227. SUPERINTENDENT'S RECORD OF TEACHERS' EXAMINATION, 1913-19.

1 v. Discontinued.

Record of teachers' examinations, showing name and address of applicant, date of examination, and place, date, and grade of certificate. Arr. chron. No index. Hdw. under pr. hdgs. 250 p. 12 x 12 x 1 $\frac{1}{2}$. Off. of supt. of sch., 2nd fl.

Pupil Records

228. RECORD OF GRADUATES, 1902--. 2 v.

Record of examinations of graduates from common school course, showing date, name and address of pupil, age, district number and name of township, subjects examined in, grades, and names of teachers, date of diploma, and scholarships granted. Arr. chron. No index. Hdw. under pr. hdgs. 200 p. 13 x 9 x 1. Off. of supt. of sch., 2nd fl.

County Superintendent of Schools -
Reports; Maps and Plats;
District Record

(229-232)

Reports
(See also entries 2, 16.)

229. ANNUAL REPORT OF THE COUNTY SUPERINTENDENT OF SCHOOLS,
1879--. 57 v. Missing: 1881.
County superintendent's annual reports to state superintendent, showing
number of boys and girls between 6 and 21, and in 1st to 12th years of
school, post-graduates, general statistics, amount of loans, promotions,
teachers, salaries and length of service. Arr. chron. No index. Hdw.
on pr. fm. 40 p. $15\frac{1}{2}$ x 10 x $\frac{1}{2}$. Off. of supt. of sch., 2nd fl.

230. TRUSTEES' ANNUAL REPORT, 1920--. 221 v.
General and special school statistics received from the trustees of each
of 13 school districts, from which the county superintendent of schools
makes up his annual report, showing qualifications and names of teachers,
records of loans, terms of school, and number of pupils. 17 volumes per
school district. Arr. by school district no. No index. Hdw. 20 p.
 $14 \times 16 \times \frac{1}{2}$. Off. of supt. of sch., 2nd fl.

Maps and Plats

231. SCHOOL PLAT BOOK, 1886--. 1 v. Last entry 1928.
Plat book of school lands, showing section, township, and range of each
school district in county. Arr. by sec., twp., and range. Indexed alph.
by name of district. Hand-drawn. Binding poor. 294 p. $16\frac{1}{2}$ x 14 x 2.
Co. clk.'s vlt., 1st fl.

District Record

232. SCHOOL DISTRICT RECORD, 1884-92. 1 v. Discontinued.
Record of annual school meetings of district eight, township ten, range
nine, special meetings, teachers' contracts, and proceedings of district
board. Also includes register of school bonds and orders against school
fund. Arr. chron. No index. Hdw. 144 p. $13\frac{1}{2}$ x $8\frac{1}{2}$ x 1. Strm., attic,
3rd fl.

XVI. COUNTY SUPERINTENDENT OF HIGHWAYS

The office of county superintendent of highways was first established in Illinois in 1913.¹ Prior to this date, township boards of highway commissioners effected essentially, those duties since performed by the county superintendent of highways.

The superintendent is appointed by the county board. The board submits a list of three to five candidates to the (state) department of public works and buildings. The department examines the candidates to determine the person best fitted for the office.² The successful candidate holds office for six years and is remunerated in a sum fixed by the county board.

The powers and duties of the county superintendent of highways are subject to the rules and regulations of the department of public works and buildings. He is, however, upon hearing, subject to removal by the county board. The superintendent is required, also, to perform such duties as may be prescribed under the direction of the (state) chief highway engineer.³ The said superintendent exercises supervision over township, county, and state-aid roads, and bridges and culverts in his county.

His principal duties are:

1. Preparing plans, specifications, and estimates for all bridges to be built by the county.
2. Supervising the construction and maintenance of county roads and bridges, and state-aid roads.
3. Inspecting the highways and bridges in each town or district of his county at least once a year.
4. Advising and directing the highway commissioners in each town or district as to the best methods of repair, maintenance, and improvement of highways and bridges.
5. Approving any purchase in excess of \$200 for materials, machinery, or apparatus to be used in road construction in any town or district.⁴

1. L.1913, P. 524.

2. BETWEEN THE YEARS 1913 AND 1921 THE LIST OF PROSPECTIVE CANDIDATES WAS REQUIRED TO BE SUBMITTED TO THE STATE HIGHWAY COMMISSION. L.1913, P. 524; L.1921, P. 781; L.1933, P. 960.

3. L.1921, P. 781; L.1933, P. 960.

4. L.1913, P. 523-26.

He is required to keep the following records:

1. Records of contracts, purchases, and expenditures authorized by himself, the county board, or township commissions.
2. Maps, plats, blueprints, specifications, etc., arising in his supervision of roads and bridges, or the planning of new construction.
3. Accounts of the funds handled by his office.
4. Reports from other officers or bodies touching the affairs of his office; copies of his own reports on the administration of his office; related papers.¹

Construction and Maintenance Records

233. FINANCIAL STATEMENT, 1931--. 1 f.b.

Statements of receipts, showing source, amount, and purpose; statements of expenditures, showing costs of construction and engineering, and totals. Arr. chron. No index. $8\frac{1}{2}$ x 11 x 24. Off. of supt. of hwys., 1st fl.

234. COUNTY HIGHWAY SUPERINTENDENT'S REQUISITION AND PURCHASE ORDER RECORD, 1931--. 1 v.

Record of requisitions and purchase orders, showing name of fund, dates, requisition and purchase order numbers, commodity, quantity, estimated price, name of firm, actual price, to whom delivered, and date completed. Arr. chron. No index. Hdw. under pr. hdgs. 200 p. 12 x 13 x $1\frac{1}{2}$. Off. of supt. of hwys., 1st fl.

235. REQUISITION, 1931--. 1 v.

Register of requisitions to the highway superintendent for certain articles to be furnished to named individuals, and charged to named persons, showing quantity, article, price, and amount. Arr. chron. No index. Hdw. under pr. hdgs. 200 p. 6 x 7 x $1\frac{1}{2}$. Off. of supt. of hwys., 1st fl.

Claims

236. COUNTY HIGHWAY CLAIM SHEET, 1931--. 1 f.b.

Claim sheets showing names of county and debtor, name and address of firm, name and address of person to whom material furnished, date, requisition number, fund, claim and purchase order number, quantity, description, price, amount, and approval of claim. Arr. chron. No index. 7 x 8 x 13. Off. of supt. of hwys., 1st fl.

1, L. 1913, P. 525, 526.

County Superintendent of
Highways - Receipts and Expendi-
tures; Contracts; Reports

(237-242)

237. COUNTY SUPERINTENDENT OF HIGHWAYS - CLAIM REGISTER, 1931---. 1 v. Register of highway claims, showing county, date and number of claim, requisition number, name and address of claimant, article or service, construction and maintenance sections, route and patrol numbers, claim and distribution totals, and name of fund. Arr. chron. No index. Hdw. under pr. hdgs. 200 p. 12 x 13 x 1 $\frac{1}{2}$. Off. of supt. of hwys., 1st fl.

238. COUNTY MOTOR FUEL TAX ALLOTMENT RECORD, 1931---. 1 v. Record of county motor fuel tax allotment, showing date, amounts requested, estimate of cost, revisions, and date, state aid route section number to which allotment is made, date, receipt and claim numbers, amounts received and disbursed, and balance available. Arr. chron. No index. Hdw. under pr. hdgs. 200 p. 12 x 12 x 1 $\frac{1}{2}$. Off. of supt. of hwys., 1st fl.

Receipts and Expenditures
(See also entries 7-9, 211, 241.)

239. COUNTY HIGHWAY WARRANT REGISTER, 1931---. 1 v. Register of county highway warrants, showing date, warrant and claim numbers, to whom issued, purpose, total number of warrants issued, and date cancelled by bank. Arr. chron. No index. Hdw. under pr. hdgs. 200 p. 14 x 13 x 1 $\frac{1}{2}$. Off. of supt. of hwys., 1st fl.

240. HIGHWAY PAYROLL, 1931---. 1 f.b. Payroll sheets showing dates, accounts charged, warrant number, name, total, mailing address, and actual time worked, and approval of county superintendent of highways. Arr. chron. No index. 8 x 13 x 24. Off. of supt. of hwys., 1st fl.

Contracts

241. RECORD OF CONTRACTS (And Receipts and Expenditures), 1914---. 3 v. (1, 2, 1). Title varies: Record of Accounts. County superintendent's record of road and bridge contracts, showing date, type of contract, contractor's name, specifications, amount of contract, and time allowed. Also contains accounts of receipts and expenditures for road and bridge work, showing amounts received and expended, purpose, name of person or firm, and date. Arr. chron. Contracts indexed alph. by subject matter; receipts and expenditures, no index. Hdw. 350 p. 18 x 12 x 2. Co. supt. of hwys. off., 1st fl.

Reports

242. MAINTENANCE DAILY LABOR AND MATERIAL REPORTS, 1931---. 1 f.b. Daily labor and material reports, showing patrol, section, state and route numbers, date, type of work or material, miles covered, hours, price, total amount, and cost distribution. Arr. chron. No index. 4 x 6 x 13. Off. of supt. of hwys., 1st fl.

Maps

243. BRIDGE AND CONSTRUCTION PLANS, 1913--. 25 rolls.

Plans of proposed work on construction of bridges and highways, showing specification and dates. Arr. chron. No index. Blueprints. 1 in. to 1 ft., 1 in. to 1 mi. 24 x 3 x 3. Off. of supt. of hwy., 1st fl.

XVII. COUNTY SURVEYOR

In Cumberland County the county surveyor was an elected officer of the county electorate from the establishment of the county in 1843 until 1936.¹ Since September 1936, the surveyor has been an appointee of the county board of supervisors.² His appointment is for a term of four years.

The county surveyor is required by law to make all surveys within the bounds of his county that he may be called upon to make. Such surveys include surveys of additions or subdivisions, and marking of county lines. Few changes have been made in the original statutory requirements for the duties of this office.

The surveyor must keep a record book of surveys made by him, preserve his field notes, and retain copies of plats in certain cases, and his originals thereof in others.³ Frequently his records are in the hands of the recorder, whose certification of maps and plats gives them legal recognition, and whose custody of them is required by law.

For recorder's record of field notes, see entry 68.

244. SURVEYOR'S RECORD, 1884--. 3 v. (1 not numbered, 1, 2).

Last entry 1921.

County surveyor's records of surveys for individual landowners, with maps and drawings of such surveys. Also contains Public Road Right of Way, 1884-1921, entry 78. Arr. chron. Indexed alph. by name of property owner. Hdw. on pr. fm. 600 p. 18 x 12 x 2. Cir. clk.'s vlt., 1st fl.

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1. L. 1835, P. 166; L. 1837, P. 558; R. S. 1874, P. 455, 1050; L. 1903, P. 349.
 2. L. 1933, P. 1104.
 3. L. 1821, P. 634; R. L. 1829, P. 173; R. L. 1833, P. 582, 599, 600; L. 1845, P. 201; R. S. 1874, P. 1050; L. 1915, P. 575; R. S. 1935, P. 2416.



XVIII. SPECIAL DRAINAGE COMMISSIONERS

The Constitution of 1870 delegated to the General Assembly a broad power to provide laws in regard to drainage.¹ Owners of land may organize drainage districts whose corporate authorities have power to acquire rights of way, issue bonds, construct and maintain drains, ditches, and levees for agricultural, sanitary or mining purposes, and assess the property benefited thereby.²

Drainage districts are of three kinds: regular, composed of property lying in a single town; union, where the lands to be organized lie in two towns in the same or different counties; special, with three or more towns involved.³ The corporate powers of each district are vested in three commissioners appointed by town clerks except in special districts, where they are elected.⁴ In regular districts the commissioners appoint one of their own members to act as secretary; in union districts the town clerk, and in special the county clerk act in an ex-officio capacity.⁵ The county treasurer is ex-officio treasurer of the special drainage districts.

The following records, however, regardless of how kept, belong to the drainage commissioners:

1. Records of bonds issued.
2. Assessment books.
3. Petitions of owners of land to stay assessments, orders of commissioners thereupon, and other proceedings.
4. State auditor's certificates of interest due on bonds.
5. Tax lists showing pro-rata share of levy for bond interest (union and special districts only).
6. Copies of reports to county court on conditions of district and estimated expenditures; and to county treasurer on delinquent lands; maps and plats, surveys and estimates; office transactions.⁶

1. CONSTITUTION OF 1870, ART. IV, SEC. 31.

2. FIRST AMENDMENT TO THE CONSTITUTION, RATIFIED NOVEMBER 29, 1878; INCORPORATED IN CONSTITUTION OF 1870, ART. IV, SEC. 31; L.1879, P. 120, 124-28.

3. L.1879, P. 123; L.1885, P. 93,94,113. RIVER DISTRICTS, THOUGH NOT IN THIS CATEGORY, MAY BE ORGANIZED SIMILARLY AND WITH LIKE POWERS. L.1885, P. 106.

4. L.1885, P. 93,95.

5. L.1879, P. 123; L.1885, P. 93,95,113.

6. L.1879, P. 120-34; L.1885, P. 78-104.

The first two records are required to be kept in separate books, the next three generally are known as the "Drainage Record", and the remaining records are kept desultorily.

For special assessments and drainage papers, see entry 26; for records of drainage liens, see entry 96.

245. DRAINAGE RECORD, 1916-18. 1 v. Prior and subsequent records cannot be located.

Copies of reports of drainage commissioners to county court, including petitions for organization of drainage district number 10 of the town of Neoga for agricultural and sanitary purposes, showing names of petitioners, addresses of non-resident land owners, legal description of land, benefits and damages, description of drain, and court orders. Arr. chron. No index. Hdw. 460 p. 18 x 12 x 3. Co. clk.'s off., 1st fl.

XIX. COUNTY DEPARTMENT OF PUBLIC WELFARE

The Cumberland County department of public welfare was established in 1937 as successor to the county commission of welfare and its executive appointee, the county superintendent of public welfare.¹ The new department of welfare consists of the superintendent of public welfare and a staff selected by him in accordance with, and subject to the approval of the state department of public welfare.

The county board of supervisors submits to the said state department a list of five residents as candidates for the office of superintendent. An eligible list of these candidates is prepared by the state department by competitive examination and certified to the county board of supervisors. The board in turn makes an order appointing one of the eligibles as county superintendent of public welfare.²

The county superintendent of public welfare is in charge of all the executive and administrative duties and responsibilities of the county department of welfare. He is subject to the rules and regulations of, and removal by, the state agency.³

1. SP. SESS. L. 1935-36, p. 70-73; L. 1937, p. 451.
2. L. 1937, p. 451, 452.
3. L. 1937, p. 452.

The superintendent has power and it is his duty:

1. To have charge and develop plans for the administration of old age assistance.
2. To investigate and study problems of assistance, correction and general welfare within his county.
3. To co-operate with the state department of welfare in the operation of welfare plans and policies in his county.
4. To maintain such records in the manner prescribed by the state department and file with the said state agency all required reports.
5. To serve as agent and executive officer of the state department of public welfare in the administration of all forms of public assistance administered by the said department.¹

All of the records of the county department are subject to the inspection and supervision of the agents of this central authority.

Under the former act of 1936, the county superintendent of public welfare could serve as a probation officer in welfare problems when appointed by a court of competent jurisdiction.²

At the time of the Survey, this office had not yet been established in Cumberland County.

XX. COUNTY NURSE

A county nurse was first employed in Cumberland County in 1936 under the public health nursing act of 1931.³ In accord with the provisions of this act, the county board of supervisors has employed a public nurse for such nursing duties as they have considered necessary for the public welfare. The appointee is certified by the state department of registration and education to the board of supervisors as one qualified, by registration and examination, to perform the duties of a public health nurse. The said state department keeps an active file of nurses for the use of city councils and county boards.⁴

1. SP. SESS. L. 1935-36, P. 72; L. 1937, P. 452.

2. SP. SESS. L. 1935-36, P. 73.

3. L. 1931, P. 732, 733.

4. IBID., P. 732.

The county nurse is required to make written reports to the state department of public health, in the form and at times prescribed by the department, and with the consent of the county board of supervisors.¹

246. HEALTH RECORD, 1936--. 1 f.b.

Card record showing name, age, and address of child, health examination by county nurse, names of parents, doctor, teacher, and nurse, and dates. Arr. alph. by name of child. No index. 5 x 7 x 13. Nurse's off., 3rd fl.

XXI. COUNTY VETERINARIAN

The office of county veterinarian was established in Cumberland County in 1930, by a cooperative agreement with the State Department of Agriculture, for the control and eradication of bovine tuberculosis. A prerequisite to the agreement was the county's enrollment with this department as being under the "area plan." This plan was adopted when the county board of supervisors provided funds for the maintenance and employment of a county veterinarian and the necessary assistants to conduct tuberculin tests within its borders.²

The county veterinarian so employed was approved by the Department of Agriculture and worked under the direction and in conjunction with this department. The salary was paid by the county, although the county board of supervisors was allowed, by the statute of 1929, to petition the department to aid in the payment of the veterinarian's salary.³ The veterinarian conducted tuberculin tests, kept record thereof, and reported to the aforementioned state department.

In 1931, the veterinarian's office was discontinued in Cumberland.

247. BOVINE WARRANTS, 1930-31. 1 v. Discontinued.

Stubs of warrants issued to county and state veterinarians for cattle tests for tuberculosis, showing date of test, names of owner and veterinarian, amount charged, and date paid. Arr. chron. No index. Hdw. under pr. hdgs. 160 p. 17 x 11 x $\frac{1}{2}$. Co. clk.'s vlt., 1st fl.

1. L.1931, P. 733.

2. L.1925, P. 3; L.1927, P. 20; L.1929, P. 7.

3. L.1929, P. 8.

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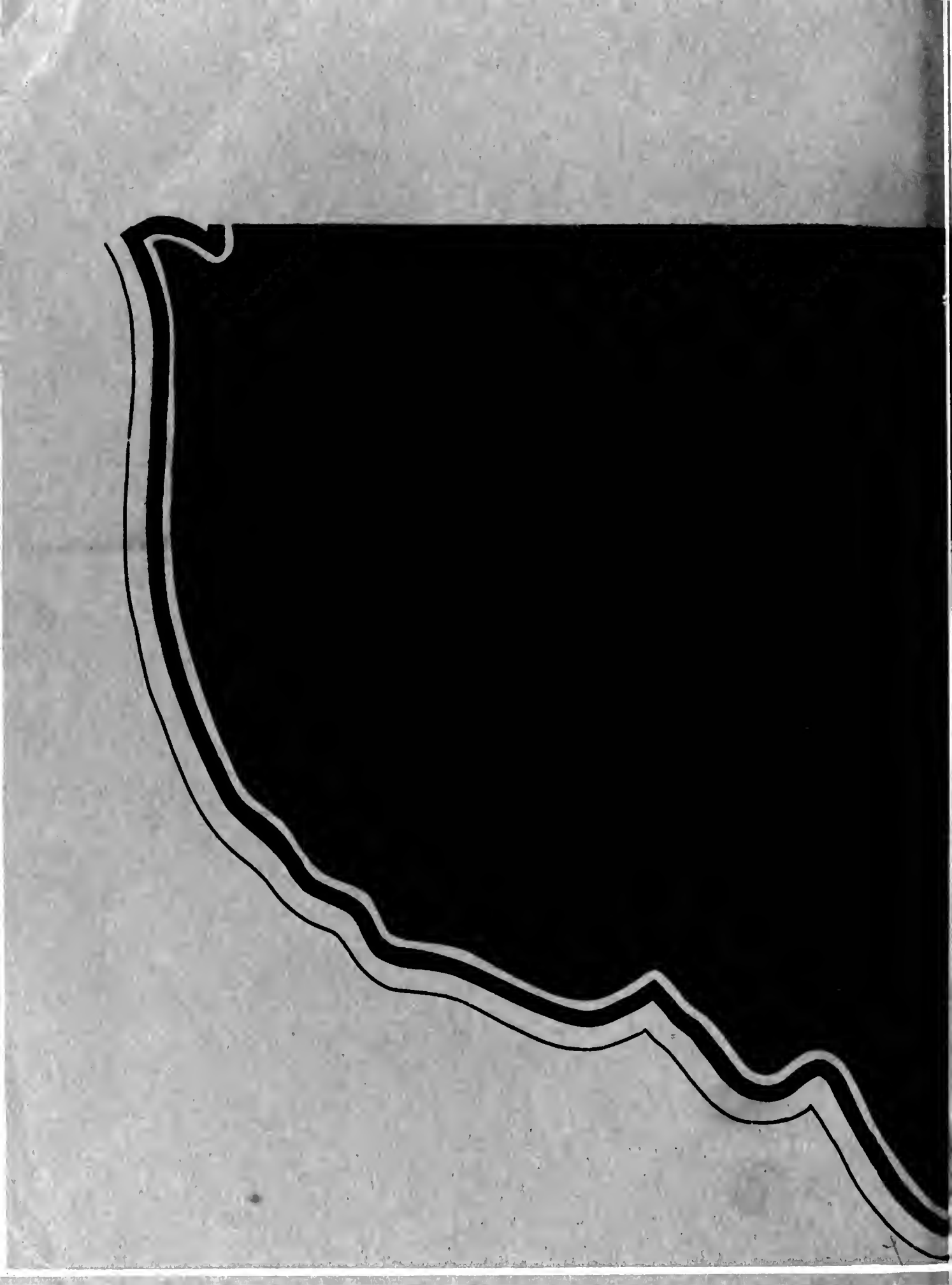
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